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THE GALLICAN CHURCH

THE GALLICAN CHURCH

AND

THE REVOLUTION

A SEQUEL TO THE 'HISTORY OF THE CHURCH OF FRANCE FROM THE CONCORDAT OF BOLOGNA TO THE REVOLUTION'

BY THE

REV. W. HENLEY JERVIS, M.A.

PREBENDARY OF HEYTESBURY

'Fluctuat, nec mergitur'

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PREFACE.

THE PRESENT VOLUME is a continuation of my former work on the same subject, which extended only to the threshold of the Great Revolution. The succeeding period of twenty-five years, between the meeting of the States-General in 1789 and the second Restoration of the Bourbons in 1815, abounds with exceptional, yet very obvious, difficulties in the path of the ecclesiastical student. The Gallican Church, during the earlier part of it, was emphatically "a house divided against itself;" split into two sections diametrically opposed to each other in religious thought, principle, and action. The ancient historical Church had lost its prestige as a National Establishment. Its corporate property had been confiscated. Its bishops were still bishops, its priests still priests; but the National Assembly had stripped them of territorial jurisdiction. If they continued to minister, it was by stealth, in defiance of the law, and at the risk of the gravest penalties. The Revolution had created, in their place, a body of "ecclesiastical public functionaries," who were exclusively recognised by the State, exclusively salaried by law, and exclusively charged with the spiritual guidance of the people. But their position was anomalous. The

supreme authority of the Church regarded them as schismatics; at Rome they were disowned and anathematised. The reason was, that they had not received "canonical institution" at the hands of the Pope or his representatives.

According to the traditional theology of Rome, the Pope is (under Christ) the sole source and dispenser of ecclesiastical jurisdiction. This principle lay at the root of the Concordat then existing (that of Bologna) between France and Rome. But with the legislators of the Revolution it was a primary object to subvert and extinguish that tradition, which in their eyes was the most dangerous of mediæval usurpations.

This state of things was strongly adverse to historical impartiality and accuracy. As a natural consequence, the ecclesiastical literature of that day is more or less deeply steeped in the spirit of partisanship, jealousy, and prejudice. More than the usual amount of discrepancy prevails in the original documents representing the contending parties. For instance, one of the principal authorities for the transactions of the time is the journal entitled "Annales de la Réligion," which for many years was conducted, with conspicuous ability, zeal, and learning, by Bishop Grégoire and his associates. Its avowed object was to defend the Revolutionary changes in religion, and the practical working of the "Constitution Civile." It abounds with information of the highest interest as to the proceedings of the Constitutional clergy; recounting at length their strenuous exertions in the cause of religious liberty, and their wonderful success in re-establishing Catholic ordinances after the fearful impieties of the Terreur. But when they have occasion to notice their rivals of the dispossessed episcopate, the authors of the "Annales" fail to observe the most ordinary rules of moderation and

charity. Even at a moment when union among Christians was indispensable, if France was to be rescued from the abyss of national apostasy, the organ of the Constitutionals could not refrain from language of the bitterest hostility. "Ye who are rending the bosom of your country, are these, then, the maxims of the Gospel? What! to harass families, to subvert the State, to raise the standard of rebellion, is that your religion? Surely, if the devil could have a religion, such is the religion he would choose. For four years past the refractory clergy have been postponing the counter-revolution from fortnight to fortnight. After having lied so often, how is it that they still find men accessible to credulity? No! the citizens cannot possibly shut their eyes to the criminal manœuvres by which it is attempted to wrest from them the fruit of six years of courage, and to bring back all the abuses of despotism." *

And this besetting sin of exaggeration and false colouring is by no means peculiar to the partisans of the Revolution. Controversialists of the opposite school, lay and clerical—Proyart, Guillon, Barruel, D'Auribeau, and especially the learned Abbé Hulot, editor of the "Collection of the Briefs of Pius VI."—were not exempt from similar failings, and their statements must be received with habitual caution.

If, amid the Babel of tongues, we were to specify any two individuals as worthy to represent the interests of their respective camps, the choice would fall, probably, upon the Abbé Barruel and Bishop Grégoire. The works of Barruel, making allowance for a certain narrowness and captiousness too natural under his circumstances, form a sterling contribution to the Church history of his time; his "Histoire du Clergé pendant la Révolution" is constantly cited as an authority. It was

* *Annales de la Religion*, tom. i. p. 36.

written, however, at a disadvantage, during the author's residence among the Émigrés in England, and is open, in consequence, to the charge of occasional inaccuracy, though there is no cause to suspect it of wilful misrepresentation. Barruel published likewise an important treatise on the Concordat of 1801, which procured him the patronage of the great Napoleon. He assisted largely in the compilation of the well-known "Ami de la Religion," and was for several years editor of the "Journal Ecclésiastique," a celebrated organ of his party.

The "Mémoires" of Bishop Grégoire are specially valuable as offering an original portraiture both of the character and career of the prelate himself and of the Republican society in which he lived. No man can read them without feeling how completely his adherence to the Revolution was a matter not only of political but of religious conviction. Grégoire believed that the "principles of 1789" were essentially those of the Gospel; and that in promoting to the utmost of his power measures of radical reform, both in the administration of the Church and in the civil economy, he was strictly discharging the duties of his office as a Christian minister. But with all his impetuous enthusiasm in the Revolutionary cause, Grégoire was, in practice, the most tolerant and charitable of men. All sects and all classes—Jews, Protestants, Negroes, prisoners, criminals —were alike the objects of his indiscriminate philanthropy. In the midst of the fierce struggle between the two denominations of French clergy, he studiously preserved the relations of private friendship with both. When the persecution was at its height, he frequently employed himself in planning and executing deeds of benevolence towards his separated brethren; and if they sometimes proved ungrateful, "What does that signify to me?" he would exclaim: "the only thing I

care for is the fact that I have been useful to them; and may I be able to find many more opportunities of doing the same thing!"

It was a melancholy contrast to this truly Christian example when, at the death of Grégoire in 1831, the Archbishop of Paris prohibited his clergy from administering to him the last rites of religion. The government of Louis Philippe resented this insult to one who, whatever his faults and errors, had maintained and adorned, in times of extraordinary trial, the profession of a Catholic priest. A positive order of the authorities opened the doors of the parish church to the funeral procession; and a few ecclesiastics, strangers to the diocese, performed the usual ceremonies.

The more recent French writers who have so ably interpreted the secular history of the Revolution touch but briefly and superficially on the concerns of the Church at that momentous epoch. They seem to have no just estimation of the character and claims of the only Church of modern days which has undergone the scathing ordeal of persecution.

They misconstrue the real drift of the ecclesiastical legislation of the Constituent Assembly; imagining that it involved no interference with the doctrinal teaching or the constitution of the Church; that nothing was contemplated beyond a searching measure of disciplinary and financial reform. "The Assembly," says M. Thiers, "in reforming abuses, made no aggression upon ecclesiastical dogmas, nor did it attack the authority of the Pope. With regard to its rights, it is clear to every candid mind that the Assembly did not exceed them by legislating as to the temporalities of the Church." This misrepresentation was industriously propagated by the "patriots" throughout the Revolutionary struggle. But there is no doubt, in point

of fact, that the changes then effected *involved*, to say the least, important doctrine; and, among other things, materially altered the ancient relationships of the Gallican Church with the Chair of St. Peter. The schism would never have taken place, had the questions at issue affected nothing more than the temporal fortunes of the Church, or improvements in its practical administration. But it must be borne in mind that M. Thiers and the other historians of his school are avowedly, and as it were by profession, apologists of the Revolution. In order to justify the famous ecclesiastical programme of 1790, its authors found it necessary to announce from the beginning that they had no intention to attack institutions of a spiritual nature—their proposals were confined to matters of practical reform. And this line of self-defence has been carefully perpetuated by their successors ever since. But the argument is inconsistent with historical fact. For what purpose was that elaborate and anxious series of negotiations undertaken in 1801 and the following year, if the misfortunes of the Church of France extended only to the loss of worldly honours, political power, and temporal emolument? Why was it treated throughout as the primary, indispensable object, to establish terms of reconciliation with the Apostolic See?

The work published in 1857 by Father Theiner, "Documents inédits relatifs aux Affaires Religieuses de la France, 1790 à 1800," is a rich store of authentic ecclesiastical records extracted from the Secret Archives of the Vatican. It consists, in the first volume, of a selection of the briefs and other decisions of the Holy See concerning the Church of France, from the year 1790 to the death of Pope Pius VI.; which the learned editor has reproduced with the most scrupulous care from the originals, in order to preclude for all future

time the fable once so popular with the Revolutionists, that those utterances were spurious.

Theiner has reprinted the celebrated "Constitution Civile du Clergé" from the official copy made by order of the National Assembly, and transmitted to the Sovereign Pontiff by Louis XVI. Annexed to it is the letter of Louis himself to the Pope on that occasion; and likewise an extremely curious memorial to the Holy Father by Cardinal de Bernis, specifying the concessions which it was hoped by the French Government that the Court of Rome might be induced to make at that perilous moment, with a view to avert the schism which was every day becoming more gravely imminent.

The second volume of F. Theiner's "Documents" is devoted to the correspondence of the exiled Gallican bishops and clergy with Pius VI., with his ministers, and with each other. This unique collection is mainly occupied, as might be expected, with details of the privations and sufferings endured by the clerical victims of the Revolution, and the history of the noble "Opera pia della ospitalità Francese," the institution founded at Rome, and administered by the Pontifical Government, for their relief. It forms a series of more than sixty large folio volumes in the Vatican Library, each lettered appropriately "De charitate Sanctæ Sedis erga Gallos." During the occupation of Rome by the French army, Pius VI. consigned these records to a secret hiding place known only to one or two Cardinals, where they remained till the French Church was restored to freedom and security by the Concordat of 1801.

Of that act of wise reparative policy the same accomplished Archivist has given us an admirable account in his work "Les deux Concordats," published in 1869. I have chiefly relied on his authority; care-

fully collating his statements, however, with those contained in the "Memoirs of Cardinal Consalvi," and with the highly finished narrative of the Comte de Haussonville, "L'Eglise Romaine et le Premier Empire." F. Theiner's action on this occasion was hastened, he tells us, by the sudden appearance of Consalvi's Memoirs, which had been kept concealed for nearly forty years in the custody of his literary executors. On the approach of the Italian war in 1859 it was judged advisable that they should see the light; and M. Crétineau-Joly was commissioned to act as editor of these precious manuscripts, which were destined, in his own words, "to reveal combinations, actions, and circumstances of which history had up to that moment neither trace nor suspicion." They were given to the world in 1864; and this step made it necessary, in Theiner's opinion, to put forth a correction of various mistakes and contradictions into which the Cardinal had fallen through the stress of adverse circumstances under which he had written. That such was the case Consalvi himself, indeed, had ingenuously confessed, and referred his readers to his official despatches, preserved in the Roman Archives, as the only indisputable records of his eventful ministry. These are quoted throughout F. Theiner's pages. The chief point upon which he considers that the common view of that portion of Napoleon's reign requires rectification is that of the true animus by which he was governed in negotiating the Concordat. Consalvi, he says, writing "ab irato" from his prison at Reims, confounds together two distinct epochs of Napoleon's career, and imputes to him in his character as First Consul the fatal faults which were developed subsequently in his conflict with the Church. But, as he proceeds to observe, there are moments and acts in the lives of the greatest of men which are not logically consistent with

each other. It would be manifestly unjust if aberrations of the latter years of the Empire were held to efface, or even to diminish, the merits of the generous initiative taken under the Consulate. Why should we pass a severer sentence on Napoleon than that pronounced by Pius VII. himself, who had more to complain of at his hands than anyone else, and who yet never failed to testify to the end of his days that the Church owed him a debt of everlasting gratitude for having raised the fallen altars and restored Catholic worship in France?

Whether the particular form under which Napoleon reorganised the religious edifice was the best possible in itself, and the most desirable under the existing circumstances of the French nation, is a question upon which there will always be differences of opinion. M. de Pressensé, in his remarkable volume "L'Église et la Révolution Française," argues powerfully that it would have been wiser had the Consular Government maintained the system of the Directory, and declined all official connection with religion. But it is to be remembered that the moment was one of strong reaction; and the reaction, so far as religion was concerned, was almost inevitably a return to Catholicism in the shape which had prevailed in former ages; popular feeling would not have comprehended any other. We may well believe, then, that although self-interest and worldly ambition were doubtless the mainsprings of Napoleon's policy in seeking reconciliation with the Church of Rome, he was not insensible to the nobler purpose of restoring the ancient elements of social order and stability. The two motives, indeed, were in his mind inseparable. He desired to secure his own ascendency by replacing in its immemorial position an institution which the French had ever looked upon as the safeguard of their highest national privileges.

The "Life of the Abbé Emery, Superior of the Seminary of St. Sulpice," is a work which I have found of the greatest value in describing the difficulties with which the French Clergy had to cope under the despotism of Napoleon. The "Life of Cardinal d'Astros, Archbishop of Toulouse, by F. Caussette," is another biography of the same character, and of almost equal importance.

It is scarcely necessary to say that I have drawn materials largely from the almost inexhaustible treasures of the British Museum. Many years ago my attention was directed, by the kindness of Mr. Garnett, to the "Bibliothèque Historique de la Révolution," there preserved; which is probably the most remarkable collection of contemporary publications in existence. I have likewise made researches among the MSS. of the Bibliothèque Nationale at Paris; and have profited by examining the very curious and significant records of the "Comité Ecclésiastique," which have been placed among the National Archives.

I beg to offer my grateful acknowledgments to Lord Acton for the privilege of access to his magnificent Library at Aldenham. Nor can I forget to record my obligations to the late Rev. G. H. Forbes, whose friendly criticisms and suggestions were of great service to me during what was unhappily his last visit to Paris, in the autumn of 1875.

28 Holland Park, W.
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THE GALLICAN CHURCH

AND

THE REVOLUTION.

CHAPTER I.

INTRODUCTORY.

THE traditional estimate of the condition of society in France towards the close of the eighteenth century has been amply confirmed by the result of fresh researches in our own time. So far as regards the political difficulties and social disorders of that period, the mass of evidence now in our hands is abundantly conclusive. It would appear, however, that less attention has been paid to the history and details of the Ecclesiastical complications which were destined to press so heavily upon the issues of the great struggle then impending.

The Ecclesiastical Economy suffered scarcely less than the civil from the decrepitude and derangement which had overspread the whole machinery of government during the latter days of the Ancien Régime. The Gallican Church, identified as it was with the Feudal organisation of the Middle Ages, had "grown with its growth, and strengthened with its strength," until it had reached a marvellous and inordinate pitch of wealth and grandeur—of territorial

dominion and political ascendency. But Feudalism, at the date to which we refer, had long since passed its zenith, and was rapidly on the decline; and the Church in like measure, though still apparently secure in its prescriptive position, was involved in the inevitable penalties of past errors and chronic maladministration. The oppressiveness of aristocratic privilege, the unequal distribution of fiscal burdens, the jealousies of rival classes, and other kindred grievances under which France laboured as a secular community, had their counterpart in the spiritual domain; and the evils thus engendered contributed seriously to swell the rising tide of popular agitation.

Before investigating the special causes which had brought about a state of things so damaging to the welfare of the Church, it is important to observe that, notwithstanding all grounds of discontent and disaffection, the heart of the nation was not as yet consciously alienated either from doctrinal Christianity or from the Church as a national Establishment. Unbelief, indeed, under the euphemism of "philosophy," had made vast ravages among the upper and educated classes; nor can it be denied that a latitudinarian spirit was widely rife among the clergy, especially of the superior ranks. But there had been no general abandonment of the principle of religious faith; no positive divorce between the traditions of antiquity and the affections of the mass of the people. Catholicism was a plant almost indigenous in France. Louis XVI. possessed multitudes of subjects in every walk of life, and in every part of his dominions from Picardy to Provence, who were neither atheists, nor separatists, nor anarchists; but who (independently, it may be, of any definite process of reasoning on such matters) were in the main honestly attached to the immemorial institutions of the country—to the Altar and the Throne. Such men were essentially Conservatives; but they were not therefore blind to the dangers of the age and the peculiar

necessities of France. All intelligent observers saw that the ancient system was about to take its trial at the bar of public opinion, and that grave changes were imminent; but there were those (and among them must be reckoned the wisest and truest patriots of the day) who hoped and believed that such changes might be effected without any wide or violent departure from the lines of the existing constitution. They hailed with intense satisfaction the royal decree convoking the States-General. They looked upon that step as the precursor of a second "golden age," fraught with inestimable blessings, not only for France, but for the whole civilised world. According to their fond anticipations, the new era was to witness a cordial recognition of the rights and liberties of the people, in just harmony with the inalienable prerogatives of hereditary monarchy. All remnants of mediæval tyranny were to disappear under a generous appreciation of the dignity of free manhood, guaranteed by a truly representative legislature. Inveterate abuses were to be sternly extirpated in every department of the public service. The administrative government of France was to become an object of envy and emulation to all other nations. And above all, the "religion of St. Louis" was to be purified from the foul stains which had so long defaced it, and restored to its pristine lustre. The Gallican Church, rejuvenescent in sound doctrine and exemplary discipline, was once more to flourish as a model to the Catholic world—to be the acknowleged palladium of the original laws and franchises of Christendom.

The details of this somewhat Utopian reformation may be gathered from a collection of official documents of the highest authority—namely, the "Cahiers" drawn up by the three Estates of the realm on the occasion of the general elections of 1789. The following are some of the important changes then demanded by the constituencies throughout France;—The total abolition of pluralities, and of the

practice of granting benefices *in commendam*; the suppression of the mendicant Orders; the repeal of the Concordat of Bologna; the appointment, if not of bishops, at least of parochial incumbents, by way of popular suffrage; a reduction and redistribution of episcopal revenues; an augmentation of the "portions congrues," or pittance allotted to the inferior clergy; the commutation or redemption of the tithes; and the residence of all pastors among their flocks for at least nine months in the year.*

Such requirements, though sufficiently trenchant, were, at any rate, not subversive of the ancient constitutional status of the Church. It is clear that those who framed the Cahiers contemplated no policy of wholesale demolition, no violent organic revolution, either in Church or State. While insisting on a more efficient administration of the Church—on a more equal distribution of its revenues, a more strict enforcement of its canonical discipline, a just limitation of its temporal power—they were by no means prepared to repudiate its authority as a teacher, or to apostatise from the inherited faith of their forefathers.

A conservative reformation of the character thus indicated by the electoral bodies of 1789 was perhaps at that moment practicable. But its advocates were not sufficiently alive to the existence of special difficulties and factious machinations which threatened to obstruct and mar the enterprise. The great danger to be apprehended was this;—that the admitted necessity of these ecclesiastical changes should be seized upon as a pretext and a handle by reformers of a different stamp—by men whose purposes were simply destructive; who designed not only to break down the external barriers of an enormously wealthy Church Establishment, but also to level with the ground the inner citadel of Catholicism, and even of Christianity itself. That a deliberate plot for that end had

* See the instructive work of M. Léon de Poncins, *Les Cahiers de 1789*, chap. vi. pp. 161–184.

long since been formed is a fact unhappily too clear to all who have examined with moderate attention the writings of the eighteenth century "philosophers," particularly the correspondence of Voltaire. No such purpose, indeed, was from the first openly avowed; on the contrary, throughout the early stages of the movement it was studiously disguised. Voltaire, the arch-propagandist of the infidel system, while urging his disciples to unwearied energy and perseverance in their attacks upon religion, inculcates no less earnestly the necessity of caution and secresy in dealing with the world at large. "The mysteries of Mithras," he writes (meaning the antichristian conspiracy), "are not to be divulged. The monster (religion) must fall pierced by a hundred invisible hands; yes, it must fall beneath a thousand repeated blows." "Strike," is his favourite precept; "strike, but *conceal your hand.* The Nile is said to spread around its fertilising waters, while it conceals its head; *do you the same,* and you will secretly enjoy your triumph." * Mirabeau, at a later period, partially raised the mask, when he instructed his followers that "if they wished to have a revolution, they must begin by *decatholicising* France"; † yet that accomplished agitator, in his place as a member of the legislature, took care to affect the utmost reverence for the national religion, and congratulated his colleagues on having expressed the attachment of the French people to the true faith and the best interests of the Church.

It was by these and other such-like hypocritical artifices that unsuspecting Catholics were hoodwinked as to the real drift of various plausible projects emanating from the revolutionary camp;—projects which (as is now too manifest) tended to the overthrow at once of civil and religious liberty,

* Voltaire to D'Alembert, 1 Mai 1768. See also his letters dated 23 Juin 1760, 20 Avril 1761, 28 Septembre 1763. *Œuvres de Voltaire,* tom. xli. edit. Paris, 1818.

† Hesmivy d'Auribeau, *Mémoires,* tom. i. p. 170. Barruel, *Histoire du Clergé pendant la Révolution,* pt. i. p. 3.

and issued at last in a disastrous collapse of authority both in Church and State.

The earlier wrongs inflicted on the Church were so many steps towards those ulterior excesses which culminated in the suppression of Christianity in France. The first blow was aimed against ecclesiastical property. The Church, when once plundered of its long-descended temporal possessions, sank into a degraded position in the eyes of the nation, and lost all power of corporate action. Next followed, what indeed was an almost necessary corollary, the so-called "Constitution Civile du Clergé"; which produced, as its immediate fruit, a calamitous schism among the clergy, and eventually a cruel persecution of those courageous pastors who refused to purchase worldly ease and advantage at the expense of a perjured conscience. Those who usurped their places found themselves at once in conflict with the Roman See; they were branded by the highest Church authority as intruders and schismatics; and in consequence they utterly failed to acquire the confidence and sympathy of the Catholic community. Their ministrations were slighted, their churches deserted; and by degrees religion lost its hold upon the national mind, and became an object of indifference and contempt. The strife between two rival types of Catholicism opened the door to the wildest and most monstrous aberrations; a desperate revolt arose, not only against revealed truth, but against the authority of the moral lawgiver; and this developed with appalling rapidity into social disintegration and semi-heathen barbarism.

It was a closely linked chain of events, the cohesion of which is distinctly traceable from first to last;—from the memorable attack upon Church property by Talleyrand in October 1789, to the impious installation of the "Goddess Reason" at Notre Dame, the scandalous abjurations of the "constitutional" bishops and clergy, and the dismal proclamation of national apostacy, in November 1793.

That melancholy catastrophe left results which have never yet wholly disappeared from the history of modern France. Its lessons are imperishable; the lapse of time detracts nothing from their thrilling interest and their vast practical import. Too much attention cannot be bestowed upon the causes of the sudden fate which overwhelmed that stately edifice, the ancient Church of France; which undermined the influence and ruined the hopes of men like Malouet and Cazalès, Mounier and Lally-Tolendal, Mathieu Dumas and Bertrand de Moleville; which extinguished the high-souled enthusiasm of 1789 in the desolations and chaos of 1793.

I. Some of these causes do not lie upon the surface. The Church, though to all outward appearance powerfully constituted, and enjoying an unprecedented measure of worldly prosperity, was suffering from various elements of internal weakness, which disabled it from opposing a firm and united front to the common enemy. Among these it has been usual to place in the first line the vices, the worldliness of life, and the scarcely concealed infidelity, which unquestionably prevailed among the bishops and superior clergy. This had long been a source of anxious peril to French society. The evidence as to the extent of the evil, however, is conflicting. It would be difficult to prove that there was more of moral degeneracy among the clergy of 1789 than among their brethren of any earlier date. There were, no doubt, among the heads of the Church men of equivocal orthodoxy, luxurious lives, and licentious morals; but these by no means fairly represented their order. As a rule, the hierarchy were at least outwardly decorous and correct. Many prelates were of irreproachable conduct; not a few were men of high attainments in learning, piety, and pastoral efficiency. As to the parochial clergy, they are acknowledged on all hands to have been respectable in character, sedulous in their duties, and beloved by their flocks. "I do not know," says

Alexis de Tocqueville, "whether, all things considered, and in spite of the scandalous vices of some of its members, there ever was a body of clergy in the world more remarkable than the Catholic clergy of France at the moment when they were surprised by the Revolution;—more enlightened, more national, less wrapped up in the mere practice of private virtue, better furnished with public virtues, and at the same time eminent for religious faith. I entered on the study of the ancient society full of prejudices against it: I left off full of respect for it." * Such, too, is the testimony of more recent inquirers. "The virtues of the great majority," says Mortimer Ternaux, "were unknown to the multitude; while the vices of some few offended the eyes of all." "Taken as a whole," observes M. Jean Wallon, "the clergy of the eighteenth century, the monks excepted, were neither better nor worse than they had been in the age preceding. The unfairness was, that malicious critics suppressed all mention of the hundred and twenty bishops whose lives were unimpeachable, while they made the whole body responsible for the scandals occasioned by some few of its members." †

It must be admitted, nevertheless, that there was ample ground for the universally prevalent complaints against the great possessors of Church property. The idiosyncracy of the feudal system encouraged and almost compelled the higher clergy to immerse themselves in the concerns of secular life; since the position of temporal grandees was inseparable from their rank in the spiritual hierarchy. Bishops, being *ex officio* territorial magnates—counts, barons, seigneurs possessed of the right of "haute et basse justice" —were burdened by a multiplicity of worldly avocations, scarcely compatible with the duties of the pastoral care. They lived on equal terms with the lay nobility, from which

* De Tocqueville, *L'Ancien Régime*, liv. ii., chap. 11.

† Mortimer Ternaux, *Histoire de la Terreur*, tom. i. p. 15. J. Wallon, *Le Clergé de 1789*, p. 64. Paris, 1870.

caste they were almost exclusively chosen,* and with whom they had the closest community of interest. Hence it followed naturally that the episcopal palace rivalled, if it did not outshine, in the splendour of its appointments and the sumptuousness of its hospitality, even the most brilliant of the neighbouring aristocratic chateaux.† "The episcopate," says the Abbé Guillon, "had become nothing more than a secular dignity. It was necessary to be a count or a marquis in order to be a successor of the Apostles, unless some extraordinary chance snatched out of the hands of the minister of the *feuille des bénéfices* some small bishopric in favour of a lucky parvenu."‡ Nor were the scandals of these high-born prelates confined to the extravagance of their households, their equipages, and their festal entertainments. Too often their establishments presented spectacles still more glaringly at variance with their profession.§

The example of the conventual bodies was equally if not more unedifying. All the more richly endowed abbeys were held by "abbés commendataires." These were ecclesiastics nominated by the Crown or the minister of the day, who, being bound by no monastic vows, lived in the world, enjoying high rank and ample revenues, and were scarcely known to the cloistered societies which they nominally governed. The active duties of superior were discharged by one of the monks entitled the 'prieur claustral,' appointed by the abbot, and revocable at his pleasure. This practice inevitably engendered serious evils. The pious endowments of past ages were squandered in dissipation and sensuality. Discipline was universally relaxed, and the true spirit of monasticism declined to the lowest ebb. The religious Orders

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* "Deux ou trois évêchés de laquais étaient laissés à des prêtres roturiers, pour qu'il y eût dans l'église Catholique un semblant de fraternité Chrétienne, et c'était tout."—P. Boiteau d'Ambly, *Etat de France en 1789*, p. 194.

† See Taine, *Origines de la France Contemporaine*, tom. i. pp. 154–156.

‡ Abbé Guillon de Montléon, *Les Martyrs de la Foi.*

§ Taine, *op. cit.* p. 195.

so dwindled in numbers, that in many once flourishing and celebrated houses there remained no more than seven or eight inmates, whose lives, though not perhaps scandalous, were lethargic and useless.

The state of the monasteries became one of the most fruitful themes of popular clamour against the whole practical economy of the Church. It is obvious to remark that it lay in the power of the civil government to suppress the most prominent of the abuses prevailing on this head, by abandoning the pernicious habit of granting abbeys *in commendam*. But this was a course which no government could adopt without sacrificing its own interest. The system added immensely to the patronage of the Crown, and formed an easy and convenient means of advancing favourites, attaching influential personages, and providing for the younger branches of royal and noble houses. So long as the ancient monarchy lasted, it was vain to expect that it would ever willingly surrender such a lucrative part of its prerogative.

Meanwhile the parochial clergy—the fifty thousand ill-requited labourers who "bore the burden and heat of the day"—were separated by a broad and impassable chasm from their more fortunate brethren. They belonged, with scarcely an exception, to the *roturier* class; their birth and lineage, their connections and interests, were those of the common people. From the great prizes of the profession they were systematically excluded. In theory they were provided for by the tithes; but in point of fact the tithe was in most cases appropriated by the "gros décimateur," who bestowed on his subordinate a stipend (called the "portion congrue") barely sufficient to maintain him decently. Moreover, they were subjected to gross injustice with regard to the representative Assemblies of the clergy, in which they very rarely obtained a seat, the members being habitually chosen from among the bishops, abbots, and cathedral chapters. By this arrangement the power of taxing the ecclesiastical body

was monopolised by the dignitaries; and in consequence that burden was made to fall with disproportionate weight upon the part of the order which was least able to support it. Under such circumstances, deprived of their fair share of political importance, and harassed by a multitude of vexatious and humiliating grievances, it is not wonderful that the lower clergy should have contracted feelings of deep-seated jealousy and distrust towards their superiors. To these sentiments they gave utterance in a profusion of cynical strictures which inundated Paris on the eve of the meeting of the States-General; and the effect thus produced upon the ecclesiastical electors at large may be estimated by the fact that no fewer than two hundred and five parish priests were returned to the forthcoming legislature, while the successful candidates from the "haut clergé" fell short of one hundred. Intrigues and pressure of various kinds were employed to secure this result.

In a petition presented by the curés to the throne at the moment of the elections, we find them claiming, as they were well entitled to do, the character of the true friends and protectors of the suffering poor, in contrast to the superciliousness and indifference which they met with too commonly from the governing classes of the Church. "Sire," said they, "the curés who now approach your Majesty's throne as suppliants are the guardians of nine millions of the most unfortunate of your subjects. They ought therefore to act as their advocates in the great Council of the nation, for they alone can defend their cause with success. The poor inhabitants of towns do not invade the solitude of the conventual cloister to explain the causes of their distress, nor do the rural poor besiege the episcopal palace to make known to the prelate their afflicting secrets. It is to the parish priest that they open their hearts in his frequent visits to their lowly abodes. It is important, Sire, under present circumstances, to revive the confidence of a desponding people;

and the presence of the curés in the States-General may contribute largely to inspire them with returning hope." In another pamphlet, the "Pétition des Curés," they set forth their views in the following language: "Who are they who come to the relief of these unhappy people? Is it the seigneurs of parishes? We are compelled to state that some of them scarcely ever visit their domains, while others come only for the purpose of receiving their rents. If great men are sometimes liberal in their charities, it is generally from ostentation. The poor then have no one to appeal to but ourselves. But all that we possess for the relief both of their necessities and our own is 750 livres per annum. Is it desirable that an abbot, a prior, a monk, should hold several benefices at once, and enjoy a revenue of fifty, eighty, a hundred thousand livres, when a parish priest has but 750? Is the pluralist more useful? does he do more good? All the world knows that most of the holders of rich benefices are only illustrious do-nothings, and that they consume the patrimony of the poor in luxury; it is their scandalous conduct that gives rise to all these satirical publications. We urgently demand that the clerical deputies shall be chosen one half from the superior and the other half from the inferior clergy. Our representatives will make known the extreme disproportion which exists between our revenues and our necessities, between our resources and those of the high clergy; they will set forth the injustice of the present distribution of the *décimes*. Our complaints will be heard. But while we defend our interests against the private interests of others who oppose us, we will never defend them against the public interest; we will carry into the assembly of the nation an unbounded devotion to duty, and perfect resignation to all the sacrifices which public safety and the prosperity of our country may demand." *

* See the interesting work of M. Jean Wallon, *Le Clergé de 1789*, pp. 176–178.

The bitter antagonism which thus reigned between the two great sections of the clergy had a sinister and ruinous bearing upon the prospects of the Church at that eventful moment. The curés, irritated by the haughty reserve of their episcopal fellow-deputies, cast in their lot for the most part with the *côté gauche*, and identified themselves with the Revolution. In process of time, when it became clear that the National Assembly was bent upon a destructive policy, and that the doctrine of the Church was imperilled as well as its temporalities, they recognised their mistake, and attempted to repair it. But it was then too late.* An unnatural coalition of declared enemies with misguided friends had enacted the ill-starred "Constitution Civile";—the true character of which was not fully apprehended till the last moment. The false step was irretrievable; and it seems plain that the cause of the Church was ruined, in great measure, by the deplorable lack of mutual confidence, vigilance, and clearsightedness among its chosen representatives.

II. Other causes are clearly discernible in the scroll of history, which contributed to embarrass and enfeeble the action of the Gallican Church at this threatening crisis. Besides the organic division already adverted to, there were maladies which resulted from controversial strife and party rivalries; antiquated feuds which, though long since extinct in outward appearance, had never yet been prosecuted to their final issues. The Jansenistic controversy, which in its

* "Dans la suite plusieurs des ecclésiastiques ayant reconnu leur faute et désirant la réparer, se sont joints au côté droit. *Déjà il n'était plus temps*; ils avaient coopéré à ébranler le trône, et leurs mains débiles n'avaient pas assez de vigueur pour le raffermir, même pour le soutenir. On peut donc compter au nombre des éléments de la Révolution le choix d'une aussi grande quantité de curés. C'est ainsi que dans la Révolution une portion du clergé du second ordre s'est prêté et a servi à abaisser le haut clergé, sans réfléchir que c'était fournir des armes aux ennemis de la religion contre elle et contre l'universalité de ses ministres." See an able paper by the Chancellor de Barentin, in the MSS. of the Bibliothèque Nationale, Paris, No. 6575.

successive developments had distracted France for upwards of a century, left behind it seeds of animosity which were so widely ramified through all the strata of society that it was impossible to ignore their agency. Jansenism was no mere transient wave of agitation raised by the collision of two rival schools of religious thought. In its origin, doubtless, it was a purely theological dispute; but it is no less certain that in course of time it almost entirely lost that character, and took the shape of a struggle in the domain of civil politics, closely affecting the whole constitutional organism of the empire. Those who wish to master in detail the steps which led to this alarming state of things must not shrink from the task of exploring the intricacies of Church history in France from the beginning of the seventeenth century downwards.* For the purposes of the present investigation, however, it may be sufficient to recapitulate certain facts connected with the famous Constitution "Unigenitus," promulgated by Pope Clement XI. in the year 1713.

That proceeding on the part of the Vatican, designed as it was to crush for ever all vestige of resistance to the decrees against the "Five Propositions" of Jansenius, stirred up, on the contrary, a more furious storm of opposition than had hitherto been witnessed. Whatever may be thought of the doctrinal contents of the "Unigenitus," there is no doubt that practically it was an act of vengeance directed by the Jesuit Le Tellier and his Order against those who were bold enough to dispute their mischievous ascendency in Church and State. As long as Cardinal de Noailles lived, the opponents of the Bull maintained their ground with considerable success, and at one time bade fair to achieve a decided

* In the author's *History of the Church of France from the Concordat of Bologna to the Revolution* (Murray, 1873), the course of this perplexing conflict, and its influence on the political fortunes of France, will be found traced at considerable length.

victory. But subsequently the Curialists acquired the mastery, and abused their triumph by a merciless persecution. The majority of the bishops, backed by the Crown, insisted on the acceptance of the Bull with no less rigour than if it had been part and parcel of the Catholic faith—a necessary condition of Church communion. A saintly and much-venerated prelate, Soanen, bishop of Senez, who had steadily refused submission, was arraigned before a packed provincial Council under the presidency of the infamous Tencin, condemned, stripped of the episcopal office, and driven into a remote imprisonment. But this culminating act of iniquity roused the spirit of Nemesis in a quarter where it was not to be easily appeased. The deprived bishop appealed *comme d'abus* to the Parliament of Paris. The government (then in the hands of Cardinal Fleury) interfered, and evoked the cause to the cognizance of the Council of State—in other words, summarily suppressed it. This served only to intensify the counter-agitation, which speedily assumed wider dimensions. At a great gathering of the Advocates of Paris a manifesto was drawn up and published condemning in no measured terms the unrighteous sentence of the Council of Embrun, and denouncing, moreover, the entire policy of the executive both ecclesiastical and civil with regard to the Papal Constitution and those who dissented from it. A bold protest was added against the recent arbitrary interference with the functions and practice of the courts of law. The reply of Louis XV. was a rash edict requiring that the Unigenitus should be forthwith registered and obeyed as a law not only of the Church but of the State. But on attempting to enforce this by the despotic expedient of a "bed of justice," the monarch found himself foiled by an adverse vote of the Parliament, passed by the decisive majority of two-thirds of the councillors present—an event altogether unprecedented in its annals.

War was now openly declared between the Crown and

the judicial corporations throughout the kingdom: and the strength of the absolute monarchy was put to the test in a series of desperate encounters with the traditional guardians of the rights of the subject. The Parliament energetically espoused the cause of the "Appellants," which was in substance that of the Jansenists; and hence arose a close alliance between the legal authorities and the disaffected party in the Church, while both combined in an attitude of stubborn opposition to the court and the dominant section of the episcopate. Ever since its first appearance, Jansenism had counted zealous friends upon the benches of the Parisian magistracy; the families of some of the leaders of the party —Arnauld, Le Maître, Pascal, Domat, and others—having been long and honourably connected with that distinguished body. But in addition to the ties of blood and of professional *esprit de corps*, they were now associated in defence of a great national cause; in vindicating the majesty of the law, the independence of the judicial bench, the sacred principle of religious freedom, against the unconstitutional encroachments of the royal will.

It was an arduous and memorable struggle. The conduct of the remonstrants was often reprehensible; the law-courts widely overstepped their province, and indulged in a tone of peremptory dictation in matters of Church discipline which was wholly unwarrantable. On the other hand, the Council of State annulled their judgments without scruple; refractory magistrates were exiled, imprisoned, deprived of office, interdicted from taking cognisance of the questions at issue; and at length, in 1772, the Government took the extreme step of suppressing the ancient Parliaments of France, and replacing them by new tribunals under the name of "conseils supérieurs." But in the end the Crown was signally worsted; none the less so because it superciliously ignored the vast advantage acquired by the popular party. Under such circumstances it became impracticable to carry on the govern-

ment upon the principles of unqualified absolutism characteristic of the old *régime*. With the utmost difficulty the traditional system was maintained till the close of the ignominious reign of Louis XV. But when the sceptre had passed into the feeble hands of his successor, the vessel of the State was seen to be fast drifting from its accustomed moorings, and venturing on a strange course, to the manifest bewilderment and dismay of those at the helm. Public opinion clamoured for a radical change of policy; and accordingly a series of experiments was undertaken by various statesmen more or less well qualified — Turgot, Necker, Calonne, Loménie de Brienne, Lamoignon de Malesherbes— each of whom in turn exhausted his resources without solving a problem for which, in the precarious predicament in which affairs then stood, no solution perhaps existed short of a disruption both in the temporal and spiritual spheres.

But the false policy pursued in the case of the Bull 'Unigenitus' produced one ulterior consequence which requires to be particularly noticed. The successors of that intrepid race of magistrates and advocates who fought the battle of the persecuted "appellants" in the earlier part of the century were returned in large numbers to the States-General of 1789.* Thither they carried with them, naturally and inevitably, the prejudices, the antipathies, the grievances, the heart-burnings, which they inherited from a former generation. Indeed many of them, and those by no means men far advanced in life, might have witnessed with their own eyes some of the most scandalous scenes which marked the later years of the Jansenistic strife. They might have attended deathbeds where the sick man was heartlessly debarred the last consolations of religion, and sent to his account "unhouseled, disappointed, unaneled," simply because he could not produce a "billet de confession," or certificate of having

* There were no fewer than 212 "avocats" among the representatives of the Tiers-Etat, most of whom held Jansenist or Ultra-Gallican opinions.

submitted to the late extravagant test imposed by Rome. They might have been shocked and exasperated by the fierce denunciations of Archbishop de Beaumont. They might have listened to the indignant remonstrances of the parliaments, and the caustic sarcasms of contemptuous "philosophers." They might have watched the whole train of odious severities by which a tyrannical court had striven to crush out the nascent germs of popular liberty.

Now it was not in the nature of things that men with such antecedents should forget the heavy outstanding account which they had to settle with the sovereign authority and with the heads of the Established Church; and beyond doubt they looked upon the dawning of the Revolution as a great opportunity to be utilised with all possible zeal in wiping out the score. Nor, perhaps, could they be expected to show much discretion or moderation in forming any political combination which might promise to be serviceable in accomplishing that object.*

The result was that the interests of the Church were betrayed and sacrificed beforehand by the rancour of chronic intestine division. There is good reason to believe that if religious partisanship could have been suspended or relinquished, it might have been possible to combat with substantial success the most tempestuous assaults of the Revolution. The destructive faction was not in itself pre-

* These peculiar circumstances are noticed, with his usual acumen, by Sir James Mackintosh, in his *Vindiciæ Gallicæ*, pp. 61, 62 (edition of 1837): "It is rather a fanatical than an irreligious spirit which dictates the organisation of the Church of France. A Jansenistical party was formed in the parliaments of that kingdom by their long hostilities with the Jesuits and the see of Rome. Members of this party have in the National Assembly, by the support of the inferior clergy, acquired the ascendant in ecclesiastical affairs. Of this number is M. Camus. The new constitution of the Church accords exactly with their dogmas. The clergy are, according to their principles, to notify to the Bishop of Rome their union in doctrine, but to recognise no subordination in discipline. The spirit of a dormant sect thus revived in a new shape at so critical a period —the unintelligible subtleties of the Bishop of Ypres thus influencing the institutions of the eighteenth century —might present an ample field of reflection to an enlightened observer of human affairs."

ponderant; it became so by virtue of a strange confederacy, with other parties, whose principles, had they been rightly understood and consistently pursued, would have led them in the opposite direction. The *côté gauche* of the Constituent Assembly was composed of heterogeneous materials. The sneering sceptic, the fanatical Jansenist, the extravagant Gallican, the bigoted Protestant, the discontented *curé de campagne*, the visionary theorist, the flippant shallow-brained journalist—all were combined in this anomalous league for overturning the prescriptive government of France. Empirics of many conflicting schools, sinking their differences, made common cause against a system which, after a reign of unexampled duration, was now denounced on all sides as having prostrated the nation on the brink of ruin.

The subversion of the feudal status of the Church was aimed at from different quarters with a considerable variety of ultimate purpose. By agitators of the Parliamentary, ultra-Gallican, Jansenist complexion it was promoted as a means of enslaving the Church to the civil power, and facilitating fundamental changes in its relations with the see of Rome. Voltairian philosophers concurred in the same policy because they knew that to deprive the Church of temporal preeminence was to prepare the way for a direct attack upon the main bulwarks of Christianity; and that thus it would become an easier task to "decatholicise" France. But the latter class of politicians had the tact to put forward their allies as instruments in commencing the work of aggression, while they themselves remained for the present in the background, carefully concealing their more dangerous projects. The affections of the mass of the people were still so far from being alienated from the faith of their fathers, that it would have been grossly impolitic to hazard any premature demonstration. The proceedings of the Assembly, therefore, were marked in the first stages by much show of moderation; and the task of digesting plans

for the organisation of the "Church of the future" was intrusted to men of high respectability, whom none could justly accuse of irreligious tendencies. The "Ecclesiastical Committee" was a body which played a part so serious in the legislation of the day, that its composition and history demand the special attention of the reader.

The "Comité Ecclésiastique" of the National Assembly was appointed on the 20th of August, 1789. It consisted originally of fifteen members, of whom five only were ecclesiastics; viz., the Bishops of Clermont and Luçon, and three curés, Grandin, Vaneau, and Lalande. On an occasion of such vital moment, this was obviously a very inadequate proportion to assign to the representatives of the Established Church. In fairness, the Committee ought to have included at least all the prelates who had seats in the Assembly. The persons chosen, however, were men of considerable distinction, both intellectually and morally. The name which claims the first mention is that of François de Bonal, Bishop of Clermont; a prelate of remarkable ability and force of character, universally respected and beloved for his learning and virtues. He was born in the year 1734, at the Château de Bonal in the diocese of Agen; was appointed Bishop of Clermont in 1776; and sat in the States-General as member for the *bailliage* of Clermont. Though zealous for the reform of abuses, Bishop de Bonal was deeply attached to the ancient constitution; and from the outset he resisted, firmly but temperately, the march of reckless innovation. But in the proceedings of the Committee, although he was named its first president, his voice was overborne and neutralised by his lay colleagues, many of whom were devoted to the cause of "liberalism." Another prominent member was Louis d'Ormesson de Noiseau, a *ci-devant* President of the Parliament of Paris, and librarian to the King; of the highest repute as a lawyer and a scholar, of strong monarchical principles, and one of the most influential

members of the *côté droit*. Durand de Maillane, again, was one whose equal as an accomplished jurisconsult was scarcely to be found in France. For years past he had concentrated his studies on the various branches of ecclesiastical law, and his published works upon that subject enjoyed high celebrity. Of the same stamp, and of equally established reputation, was Jean Denis Lanjuinais, at this time professor of canon law in the University of Rennes. Lanjuinais, besides being an erudite canonist, possessed some of the most shining gifts and acquirements of the legislator and the statesman. An ardent friend of the people, he had been entrusted by the commons of the States of Brittany (his native province) with the task of drawing up their cahier for the States-General; and had produced a document of rare merit for moderation and wisdom. Another member who actively shared the labours of the Committee was Jean Baptiste Treilhard, a pleader at the bar of Paris. Treilhard was a man of vigorous understanding, a powerful reasoner, a persuasive orator. He began by professing Conservative principles; and it was his eloquent speech in favour of granting the "suspensive veto" to the Crown that first brought him into notice in the Constituent Assembly. But subsequently he was gained over by the "patriots," and became a thorough-paced partisan of the democratic school. In that capacity Treilhard exercised a commanding influence over his colleagues upon most of the "burning questions" of the day. The remaining six names were not of remarkable eminence. But there were three deputies who, although not placed on the list of the Committee originally appointed, were deeply engaged from the first in shaping and controlling its proceedings; and to them must be assigned, *par excellence*, the responsibility of the unfortunate results which followed. One of them, Armand Gaston Camus, is usually credited with the chief authorship of the famous scheme of reform which was forced upon the Church under

the auspices of the Revolution. Camus was widely known for intellectual culture, especially for his profound acquaintance with ecclesiastical law, which had procured for him the appointment of "avocat," or counsel, to the clergy of France. On being elected one of the representatives of the city of Paris, he threw himself with energy into all the great party movements which contributed to the success of the Revolution; and in all controverted questions bearing upon religion his opinion was accepted by the *côté gauche* as oracular and conclusive. Camus was a strongly pronounced and bigoted Jansenist. Professedly a Catholic, he was withal a determined enemy of Ultramontanism and the absolutist maxims of the Roman Curia; and to abolish the direct jurisdiction which the Pope had exercised for ages in the government of particular or national churches was the foremost object for which he was prepared to agitate. His personal piety was formed upon the stern pattern of St. Cyran and other Port-Royalist celebrities, and was undoubtedly sincere.

Camus possessed two coadjutors whose earnestness and ardour in the cause were not inferior to his own; namely, Emanuel Freteau de Saint-Just, a member of the noblesse, and lately a councillor of the Parliament of Paris; and the celebrated Henri Grégoire, curé of Embermesnil in Lorraine, afterwards "constitutional" Bishop of Blois.

Now it must be acknowledged that the individuals just mentioned were in many respects well qualified to conduct the preliminary labours necessary to the great ecclesiastical changes contemplated by the National Assembly. They could not be complained of on the score of character, or ability, or experience in the peculiar departments of learning required by their position. Yet it was evident from the first moment that they could never work harmoniously together; for they were not agreed among themselves either as to matters of doctrinal theory, or as to the prac-

tical direction of their measures. The wide discrepancy between the theology of such a man as Bishop de Bonal, which had its standard in the latest developments of mediæval Romanism, and that of Camus, Grégoire, Treilhard, Martineau, and their friends, was fatal to all prospect of united action. It must be remembered, however, that the orthodox members of the Committee were not aware, at this early date, of the real purposes of their more advanced colleagues; nor, indeed, is it to be supposed that the latter foresaw all the lengths to which they were ultimately to be driven by the inexorable logic of events.

The Assembly, while making a show of impartiality by placing on the Committee some few names which commanded the confidence of the Church, undoubtedly designed that the preponderance should rest in the hands of men more or less pledged to the Revolution; and we have already seen how it came to pass that one particular form of religious thought prevailed so largely in that section of the house.

There is no need to suppose that this class of politicians were deeply imbued with Jansenism as a theological system; that they were familiar with all the polemical subtleties of St. Cyran, Arnauld, and Quesnel. Speaking generally, however, they were agreed upon certain characteristic principles and tenets, and those of no small importance. They asserted the independent nationality and autonomy of the Church of France. They insisted that the jurisdiction of the Roman Pontiff must be circumscribed within what they considered its legitimate and canonical dimensions. They contended that bishops have no need of institution by the Pope;—a practice which, it will be remembered, had been legalised in express terms by the Concordat of 1516. On the other hand, they were inclined to magnify the prerogatives of the clergy of the second order at the expense of their superiors. They taught, particularly, that priests receive all necessary "mis-

sion" in the act of ordination; and are therefore at liberty to exercise their ministry wherever and whenever they think fit, without further sanction from the diocesan.*

Lastly, they were prepared to sweep away that vast congeries of mediæval donations, endowments, and immunities, in virtue of which the Church had reached its present extreme pitch of aggrandisement. The clergy were to be shorn of their corporate revenues. Henceforth they were to content themselves with a humbler grade in the social scale, more in accordance with the simplicity, the austerity, the unworldliness of life, which adorned the primitive ages of the Gospel.

It was thus that, by a singular chain of occurrences, almost amounting to fatality, the chief influence in the reorganisation of the Church of France devolved upon men profoundly hostile to the pretensions of the Roman Curia, and resolved on a reformation which should finally suppress them. Unfortunately they failed to perceive that if, while emancipating the Church from the dominion of the Pope, they should reduce it to a state of slavish dependence on the civil power, the substitution of the latter yoke for the former would be no less pernicious to its real interests.

For several months after its appointment nothing transpired concerning the operations of the "Ecclesiastical Com-

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* "C'est là le dogme d'une secte hérétique, née dans le dernier siècle, frappée des anathèmes de l'Eglise, et dont les sectaires, ne pouvant obtenir des évêques les pouvoirs spirituels nécessaires pour les fonctions du tribunal, inventèrent, pour les exercer, le principe inouï et inconnu jusqu'alors, que le pouvoir d'ordre et le pouvoir de juridiction sont une même chose." —Lettre des fidèles du Diocèse de Clermont à M. Jean François Périer, se disant évêque du Département du Puy-de-Dôme.—*Biblioth. Historique de la Révolution*, tom. 130. British Museum.

"Avec cette constitution, il falloit dire que la simple consécration d'un prêtre lui donnoit aussi le droit d'exercer partout validement les fonctions et l'autorité des pasteurs; c'étoit là faire d'un simple prêtre le curé de toutes les villes. C'étoit dire, à peu près, que le maire d'un village français, par cela seul qu'il est maire chez lui, peut venir en Angleterre exercer validement toute l'autorité du Lord Maire de Londres. C'était là, cependant, sur la tribune de l'Assemblée, la théologie de ses législateurs Camus et Mirabeau."—Barruel, *Hist. du Clergé*, pt. i. p. 29.

mittee." During that interval, however, the growing animosity against the Church, and the determination to attack its enormous revenues, found fatal expression in the National Assembly, and decrees were passed which amounted to a sentence of wholesale spoliation.

It must always remain a question whether these destructive measures would have been sanctioned by the Legislature had it been left to the exercise of its own discretion. As a matter of fact, they were forced upon it by an irresistible impulse from without. The lawless brigandage which broke out in the provinces gave rise to the events of the famous 4th of August; and these, again, prepared the way for the ruthless confiscation of Church property which followed. The proletarian revolt drove the Assembly, in a fit of frantic enthusiasm, to vote an unconditional holocaust of seigneurial privileges and serf-like obligations; and it was then that the clergy—either from sheer helplessness, or secret fear, or thoughtless sympathy with the contagious delirium around them—were induced to surrender their tithes. The *droits de mainmorte*, among which tithes were included, were declared at first to be redeemable at a just valuation; but subsequently, by the decision of a committee, they were extinguished without compensation.

On this eventful occasion, while the excitement of the house was at its height, De Béthisy, Bishop of Usez, let fall incidentally the sentiment that "the property of the clergy, and the rights attached to it, *had been received from the nation*, and that the nation alone had authority to cancel them." This unguarded admission was instantly caught up by the *côté gauche*, who argued from it that tithes could not be redeemable, since, by the confession of churchmen themselves, they were not the property of the holders, but granted in trust by the nation. From this there was but a step—an easy and natural step—to a further inference, namely, that the

nation might appropriate not only tithes, but other Church property of whatever description. And such was the conclusion announced in plain terms a few days later by the Marquis La Coste. "The State," he said, "is burdened with an immense debt; and the people, overwhelmed with taxes, have clearly designated those which have become intolerable. The people and the public creditor must be satisfied. Already a great truth has been proclaimed in this Assembly, namely, *that ecclesiastical property belongs to the nation.* The time has arrived when the nation must vindicate that principle; for at this moment it is entering upon the full exercise of all its rights."

As the debates proceeded, it became more and more manifest that the religious notions of the majority were hopelessly confused and heterodox. The proposed "Declaration of the Rights of Man" gave rise to vehement discussion. The first question was whether that document should commence with any recognition of the existence and providence of God. Some speakers pronounced this superfluous, inasmuch as the presence of the Deity is universal, and cannot be disputed. Others held that some mention of that great elementary truth in the preamble was indispensable. "What!" exclaimed the Bishop of Nismes, "are we to be told that it is a trite idea that man's being is derived from God? Would to God it were more trite than it is—so trite as never to have been contested! But when we are making laws for our country, it is fitting that they should be placed under the guardianship (*sous l'égide*) of the Divinity." The Abbé Grégoire declared that a clause to this effect was required by public opinion, and that to omit it would be to expose France to the reprobation of civilised Europe. The Vicomte de Mirabeau* proposed that the Decalogue, "that work of the greatest of legislators," should

* Younger brother of the Comte de Mirabeau, the great orator and demagogue. The Vicomte was of opposite principles.

be inserted entire at the head of the new Constitution; and pointed out the uselessness of enunciating abstract metaphysical dogmas, which failed to convey any distinct idea to ordinary minds. In the end the phrase originally suggested was adopted, and the clause was worded thus: "The National Assembly acknowledges and declares, under the auspices of the Supreme Being, the following rights as belonging to men and citizens."

The rights referred to were defined to consist in liberty, property, security, and resistance to oppression. But no sooner was it attempted to proceed from theoretical axioms to practical detail, than the Assembly found itself involved in a maze of perplexity which threatened to be fatal to all rational legislation. For instance, the general principle of liberty was naturally held to include *religious* liberty; but how could any satisfactory interpretation of that term be arrived at in the midst of the violent conflict of parties then prevailing? The bishops and clergy desired, of course, that (if proclaimed at all) it should be proclaimed in such a sense as to protect the ascendency of the Established Church. But this by no means squared with the notions of the *côté gauche*. They contended for unlimited toleration—so unlimited as to amount in fact to indifferentism. They abhorred the idea of a *dominant* Church. According to them, all sects ought to be on a footing of absolute equality; the civil power was to respect all alike; no form of religion was to be supported by aught except its intrinsic purity of doctrine and morals. "Liberty the most boundless in religion," cried Mirabeau, "is in my eyes a right so sacred, that even the word *toleration*, by which it is sought to explain it, seems to me in some sort tyrannical. The existence of an authority which can grant toleration infringes freedom by the very fact of tolerating; for this implies that it might refuse to tolerate."* The subsequent course of the debate grew

* *Choix de Rapports, Opinions et Discours*, tom. i. p. 8.

agitated and tumultuous. The real struggle (though not acknowledged in words) lay between the Catholics and their opponents of various schools—rationalistic philosophers, Protestants, infidels, and Revolutionists. The latter party urged that religious freedom is a *right*—by which it was meant to fix a stigma on the *ancien régime*, notorious as it had been for its intolerant spirit. The Conservatives retorted that respect for religion is a *duty*; designing thereby to pledge the Assembly to guarantee the actual position of national Catholicism, with its traditional system of administration. An ingenious speech by Talleyrand, Bishop of Autun, whose brilliant talents were already conspicuous, had the effect of putting an end for the time to this acrimonious dispute;—which result, however, amounted to a defeat for the Church party.

Talleyrand urged that the proper opportunity had not yet arrived for legislating on the respect due to religion; these matters would doubtless come before the house in due course, in the debates on the new code of constitutional law. Upon this the house postponed the consideration of the article on religious liberty till a later date; and the discussion closed by affirming that "no man ought to be molested on account of his religious opinions, provided they cause no violation of public order as established by law." *

The decisive assault upon the Church Establishment, which issued in the total sequestration of its landed property, was preceded, and indeed prompted, like the former, by external pressure—by outbreaks of democratic violence. Amid the general terror inspired by the events of the 5th and 6th of October, nothing was more marked than the determination of the popular leaders to heap odium upon the clergy; and to such a pitch was this carried, that the deputies of that order were no longer safe in attending the Assembly. The Abbé Grégoire complained bitterly of the

* *Moniteur*, Séance du 26 Août 1789.

injustice done to his brethren. "What," he demanded, "is the offence of the ecclesiastics of this Assembly? Most of them are respectable pastors, well known for their patriotic zeal and devotion. It was an ecclesiastic who obtained from the Assembly a committee for providing means of sustenance for the starving people. The curés were the first to relinquish, with courageous unanimity, the absurd prejudices of their caste. The tithes have been abandoned. They have sacrificed the *casuel*.* They eagerly supported the law for abolishing the plurality of benefices. They have made donations to the public treasury proportioned rather to their zeal than to their means. And what is their reward? Day after day they are insulted and outraged by the populace in the streets of Paris." He besought the house, for the honour of the nation, and the success of the Revolution, to take fresh measures for protecting the clerical members, whose persons had been declared inviolable.

But the appeal met with little or no response. The clergy were more and more persistently held up to obloquy as enemies of the people; and every means of intimidation was practised to force upon the Assembly a course of unmitigated Church spoliation.

Many ecclesiastics, panic-stricken and despairing, resolved at this trying moment to abandon their posts and to retire from France. Among the earliest emigrants were De Juigné, Archbishop of Paris, the Bishop of Nantes, and several other prelates. This exhibition of weakness threw a manifest advantage into the hands of the ultra-democrats, of which they took care to avail themselves to the utmost.

* Surplice fees.

CHAPTER II.

CONFISCATION was a foregone conclusion, in defiance of reason, argument, justice, and expediency, on one side or the other. The main principle on which Talleyrand insisted in his memorable speech on the 10th of October was this—that the tenure of ecclesiastical property differs from that upon which other property is held; since it belongs, not to private individuals, but to public institutions, establishments, or corporations. The State has authority over all corporate bodies existing within it—over the clergy among the rest. It cannot *destroy* the clergy, for they are necessary to the maintenance of public worship; but it can suppress *particular aggregations* of clergy which it may consider useless or injurious; and by consequence it may appropriate the revenues of such bodies, after providing for the wants of individual members. He contended, therefore, that the nation had a right to claim (1) the property of such religious houses as it seemed desirable to suppress; (2) the emoluments of sinecure benefices; and (3) a proportion of the incomes enjoyed by bishops and parochial incumbents; an engagement being made to meet the obligations with which that species of property was originally charged.

It was a strange phenomenon; a prelate of the Church, a man born in the highest ranks of the aristocracy, the possessor of rich preferment and enviable worldly position, standing up in the Legislature to propose a measure for disinheriting his own order, destroying their independence, and

degrading them to the level of mere hirelings of the State.* The case was not that of a persecuted Jansenist, with deep wrongs to avenge. It was not that of a hitherto obscure country curé, whom his admiring brethren had sent up to Versailles to denounce the corruptions of the episcopate, and to be the apostle of a regenerated Church. Nor was it that of a hot-headed revolutionist, who had nothing to lose, but everything to gain, by a general wreck of ancient institutions. Talleyrand was none of these. He was a shrewd, intriguing, unprincipled man of the world, gifted with extraordinary sagacity and foresight, which enabled him to discern, as if by instinct, the tendencies and probable results of events as they passed before him. From an early date he had divined the course of the revolutionary movement; and thenceforward, whether as to the principles which he professed, the objects which he sought to realise, or the parties and personages to whom he attached himself, he consulted simply the dictates of his own interest and the visions of his own ambition. His hopes of advancement lay, not in the career which belonged to him as an ecclesiastic, but in the field of political action. He detested the clerical profession, into which he had been thrust against his will to suit the arrangements of his family, and in consequence of an infirmity which precluded him from ordinary pursuits. He saw the antique edifice of ecclesiastical grandeur nodding to its fall; he resolved to abandon it betimes, and to secure for himself a post of influence and a sphere of congenial action among those who were to be the ruling spirits of the future. Talleyrand, however, avoided committing himself to extreme

* Talleyrand had been one of the Agents-general of the clergy, an appointment which was a certain passport to the episcopate. He was named Bishop of Autun in 1788. "On lui a demandé la démission de son abbaye, qui était un objet de 24,000 livres de revenu. Il aurait bien voulu la garder, mais le Roi n'a pas trouvé la chose à propos. Monseigneur a fourni quelques chapitres à la chronique scandaleuse du temps qu'il n'était qu'agent du clergé. On en espère davantage pour la suite."—Lescure, *Correspondance secrète inédite sur Louis XVI.*, tom. ii. p. 302.

projects; he stopped short of republicanism, and advocated a limited constitutional monarchy; reserving himself for a reaction which he knew to be inevitable, and which could scarcely fail to advance him to the front rank of public importance.

Such was Charles Maurice de Talleyrand-Périgord, Bishop of Autun; who doubtless was put forward on this occasion as the mouthpiece of the Revolution for the very reason that his position would lend an air of disinterestedness to the project in hand, and make it difficult for those of his brethren who were not prepared for ruinous sacrifices to gain an impartial hearing in self-defence.*

At the sitting of Tuesday, October 13, 1789, the following resolutions were proposed on the motion of the Comte de Mirabeau: "That it be declared, (1) that all the property of the clergy is the property of the nation, upon condition of providing in a suitable manner for the celebration of Divine worship, and the maintenance of the ministers of the altar; (2) that the stipend of parish priests shall in no case be less than 1,200 livres, exclusive of residence."

One of the first speakers was the Jansenist Camus. From his prepossessions he might have been expected to embrace without reserve the policy of disendowment; but to the general surprise he threw his weight into the opposite scale. "The clergy," he said, "are a society existing in the State because the State thinks fit to profess and maintain a certain form of religion. The State has a right to take cognisance of this society, and of the manner in which it fulfils its duties, but it cannot change its constitution; it cannot

* Madame de Rémusat gives an interesting account, from Talleyrand's own mouth, of the circumstances of his early life which led to his espousing the cause of the Revolution. It is too long to quote *in extenso*; the following are the concluding sentences. "Vous comprenez que, dans la position où j'étais, je dus accueillir cette Révolution avec empressement. Elle attaquait des principes et des usages dont j'avais été victime; elle me paraissait faite pour rompre mes chaînes; elle plaisait à mon esprit; j'embrassais vivement sa cause; et depuis, les évènements ont disposé de moi."—*Mémoires de Madame de Rémusat*, tom. iii. p. 328.

seize its revenues, except by destroying at the same time its existence as a society; and that society cannot be destroyed. The endowments of the Church were annexed to a regular system of practical obligations; the law can exercise supervision over the discharge of those duties, but it cannot alienate the property which was granted on such conditions. If corporate bodies neglect their duties, they ought to be reformed, but they must not be suppressed."

The Abbé Maury, who had already established a brilliant reputation as the champion *par excellence* of the Church, followed with one of his most impassioned, though not one of his most cogently reasoned speeches. It was a masterly specimen of incisive declamation; but his tone was bitterly resentful and sarcastic, and the impression left upon his hearers was rather that of heightened irritation than of sympathy or conviction. Maury inveighed against the greedy capitalists, contractors, stock-jobbers, and other adventurers, whose enormous fortunes, amassed by fraud and oppression, were the real cause of the financial difficulties of the day. "It was by their means," he cried, "that France was induced to undertake so many costly wars, which devoured the substance of successive generations, and have wellnigh destroyed the national credit. And now, in order to restore that credit, you propose to confiscate the possessions of the clergy. What would you say to some ruined country squire who should call his creditors together, and make over to them the lands and emoluments with which he had formerly endowed his parish church? Such an example would shock you; yet you are about to set a precisely similar example in 45,000 parishes. At the first financial crisis that comes (for what is taking place now may take place again) your own policy will be quoted against you, and you will be despoiled in your turn. Your principle leads straight to an agrarian law. However far you may go back in tracing the origin of property, the nation will go back with you. It will point to

the epoch when it issued from the forests of Germany, and will demand a fresh division of territory. Our possessions guarantee yours. We are attacked to-day; but be not deceived—if we are victimised now, it will not be long before you become the prey of the spoiler."

For a practical comment on these prophetic words we have only to turn to the record of what France has suffered from the Socialism and Communism of our own day.

If the Assembly had been capable of listening to the voice of moderation and justice, the speech of Malouet, delivered on the same evening, could scarcely have failed to arrest its predetermined decision. Malouet, a zealous Catholic, and a loyal, conscientious servant of the Crown, possessed a well-balanced, discriminating judgment, which rendered him invaluable to the cause of order and legitimate government. His speech was universally admired; but such was the temper of the Assembly that the effect vanished with the last words of the orator, and the plan which he propounded failed even to find a seconder. He advised the appointment of an Ecclesiastical Commission, which was to determine, after careful consideration, what number of bishoprics, cathedral chapters, monasteries, seminaries, and parochial benefices should be retained for the future; and to regulate the proportion of landed property, houses, and annual income, which it might be desirable to assign to each. All that might not be required for the sustentation of Divine worhip, and the religious education of the people, was to be suppressed, and the proceeds paid over to the civil administration of the provinces where the property was situate. Pending the report of such commission, no further nominations were to be made to abbeys, capitular preferments, and sinecure benefices; and the religious Orders of both sexes were to be restrained from receiving novices until the provinces should make known how many conventual houses they desired to preserve.

This elaborate and weighty speech brought the sitting to a close, and the discussion was not resumed until October 23. On that day the questions at issue were again debated with undiminished vigour. The bishops of Clermont and Usez stoutly defended the doctrine of ecclesiastical proprietorship. Treilhard contested it, on the ground that the clerical holder had no power to alienate his property;—an inconclusive argument, since it might be urged against every other species of property held in trust, and would thus endanger some of the wisest provisions of common and statute law. The Abbé Grégoire maintained that the clergy are not proprietors, but stewards or administrators, of Church property; and that if they should take for themselves more than is strictly necessary, they would be guilty of sacrilege according to the canons. He did not admit that Church property belongs to the nation, but only that the nation has the right to superintend its management, to make changes in the mode of its administration, and to secure its application to the purposes for which it was originally destined.

The first overt step towards the long-foreseen conclusion was taken on the 28th of October, when the Assembly decreed, on the motion of the lawyer Target, that "religious vows should be provisionally suspended in convents of both sexes." This was carried (contrary to the rule of the house) at the same sitting in which it was proposed, and in spite of vehement remonstrances. The king, now virtually a prisoner at the Tuileries, accepted it on the 1st of November. It was manifestly a prelude to the violent secularisation of the vast revenues of monastic houses throughout France. "The most terrible despotism," cried Maury, "is that which assumes the mask of Liberty!"

On the 30th of October, Mirabeau rose to reply upon the whole question. His arguments, urged with even more than his wonted ability and force, may thus be summarised. "Public utility is the supreme law; and we have no right to

weigh in the balance against it either a superstitious respect for what is called the intention of founders (as if it were in the power of a few ignorant, narrow-minded individuals to bind by their private caprice generations not yet in existence), or the fear of violating the rights of certain bodies corporate, as if such bodies were capable of possessing any rights at all in opposition to the State. Private bodies exist neither *by* themselves nor *for* themselves; they were created by society in general, and they must cease to exist as soon as they cease to be useful. No institution framed by man is destined to be immortal. Ancient foundations, continually added to through human vanity, would in the end absorb and consume all private property; and it is plain, therefore, that there must be some means of finally suppressing them. If all the generations of mankind who ever lived had monuments erected to them, it would be necessary to destroy these useless memorials in order to find ground to cultivate; and the ashes of the dead must be disturbed in order to provide food for the living."

The orator next entered upon a somewhat different line of reasoning, drawn from the abstract origin and nature of property. "What *is* property? Property is the right given by the community to an individual to enjoy exclusively what in the state of nature would belong equally to all. Property is a possession acquired by virtue of law; the law alone can constitute property, because nothing but the public will could cause men in general to forego an advantage which primarily belongs to all, and to guarantee its enjoyment by a single owner." Mirabeau proceeded to affirm (what was extremely questionable) that no law had ever constituted the clergy a permanent body in the State. No law had deprived the nation of its right to examine whether the clergy ought to form a political corporation, existing independently, and capable of purchasing and possessing. This being so, the clergy, when they accepted these foundations, must have

anticipated that the day might come when the nation would terminate their existence as a body corporate, without which they could not hold common property. And every founder, in like manner, must have foreseen that he could not prejudice the rights of the nation; that the clergy might one day cease to be a corporation recognised by the State, and that consequently there was nothing to perpetuate the existence of religious foundations in the precise form which they had originally.

But might not this reasoning be applied to property in the hands of the laity no less than to that held by the Church? If property rests solely upon law, which law may be abrogated at any moment by the will of the Legislature, did it not follow that property of whatever description is revocable and precarious? This inference by no means suited the purposes of Mirabeau; and accordingly he found it necessary to make an exception in his theory, and to declare that in the case of property held by private individuals no distinct legal guarantee is requisite, inasmuch as it depends on the original constitution of society. "*But it is otherwise with the possessions of a corporate body like the clergy.* Such bodies are not, like individuals, primæval elements of society; they are not anterior to its existence; they cannot lay claim to any essential rights at the very moment of its first foundation."

"Private proprietors hold their estates in the character of absolute masters, just as a man is master of his own will or his own limbs. But with the clergy this is not so; they cannot alienate their estates, they cannot transmit them to their successors; they are not even, strictly speaking, tenants for life; they are merely stewards or dispensers of the yearly proceeds." Having thus reassured those classes of his hearers who, though indifferent to the interests of the clergy, were jealous of the inviolable sanctity of property as concerned themselves, Mirabeau concluded in language of studied

moderation. He protested that he by no means wished to maintain that the clergy ought to be dispossessed of their property, or that other classes of citizens ought to be put in their place, or that the creditors of the State ought to be paid with the proceeds of ecclesiastical endowments, or that the clergy should be deprived of the administration of the estates of which the annual income undoubtedly belonged to them. He simply designed to lay down, as a general principle, apart from any consequences that might follow from it, that "every nation is the sole and true proprietor of the property of its clergy." "I ask nothing more of you than to sanction this great principle; for it is through the influence of error and of truth that nations are either saved or lost."

On the sixth night of the debate, the 31st of October, the leaders of the Church party attempted, as a last resource, to compromise the question; hoping that by sacrificing a certain portion of their property they might preserve the rest. The Archbishop of Aix, while maintaining at great length that the patrimony of the Church belongs to the clergy, and that it is the interest of the State itself that the rights of property should be respected, proffered, on behalf of his order, the sum of 400,000,000 livres towards supplying the deficit in the national finances. He intimated, moreover, that the clergy were prepared to accept measures of reform in various important particulars; and concluded by stating that in his opinion the minimum stipend of curés ought to be 1,500 livres, and that of vicaires 600 livres. The bishop of Nismes followed, and suggested that the State should in future exercise a general control over the management of Church estates; and that a diocesan caisse or treasury should be established in each diocese, from which, under the direction of proper officers, all sums should be dispensed for ecclesiastical purposes of whatever kind, including the efficient relief of the poor. But these over-

tures were treated with utter disregard, as indications of conscious weakness and of approaching surrender.

After a vigorous appeal to the great principles of justice and constitutional right from the Abbé de Montesquiou, one of the agents-general of the clergy, the house was about to proceed to a division. But Mirabeau, who detected symptoms of indecision among the members, contrived to have it postponed for two days; and meanwhile arrangements were made, as on other critical occasions, for intimidating the waverers, and securing, by violence if necessary, the triumph of the popular will. On the 2nd of November the archbishop's palace, where the Assembly then sat, was surrounded by an armed band of lawless miscreants, who, by dint of abuse, threats, and personal insults, made it clear to the terrified legislators that the decree of confiscation must be passed without further delay. But even in this extremity it seems to have been doubtful whether the majority could be brought to vote that the property of the Church belonged *absolutely* to the nation. Mirabeau, in consequence, made, at the last moment, a slight, but not insignificant, amendment in the terms of his resolution; which, as finally put to the vote, ran as follows: "That it be declared in the first place, that all ecclesiastical property is *at the disposal* of the nation, on condition of its undertaking to provide in a becoming manner for the expenses of public worship, for the maintenance of the clergy, and for the relief of the poor, under the superintendence and according to the instructions of the provincial authorities. In the second place, that in the provision to be made for the maintenance of the ministers of religion, no less sum than 1,200 livres be assigned to parish priests, without including their residence and the garden annexed to it." * On a division the resolution was carried by a majority of 568 against 346. Forty members

* *Le Courrier de Paris*, No. XIV. p. 244.

present abstained from voting; and as the Assembly consisted of nearly 1,200, upwards of 200 must have been absent from various causes. By this time, indeed, many had abandoned their seats in disgust; many had become exiles from France.

Mirabeau's manœuvre doubtless gained him a considerable number of uncertain votes. Some members took the amended resolution to imply nothing more than a guarantee on the part of the clergy for the repayment of the loans about to be contracted by the Government. Others interpreted it as pointing towards a more equal distribution of the revenues of the Church among its ministers;—a policy which naturally possessed strong attractions for the inferior classes of the clergy. Few comparatively of the *côté droit* seem to have realized the full scope of this momentous measure. "The sitting closed," says the Moniteur, "amid the loud applause of the audience." *

But whatever illusions may have been cherished as to the ultimate intentions of the majority, the truth became abundantly clear when the Bishop of Autun moved, a few days afterwards, that, in order to prevent fraudulent tampering with the title-deeds or removal of the household effects of ecclesiastical establishments, seals should be placed upon the muniment rooms, and exact inventories made of all the furniture. The Jansenist Martineau proposed, at the same sitting, that sinecure benefices should be at once suppressed; that holders of pluralities, if the income exceeded 3,000 livres, should be compelled to make their option for one benefice and resign the others; that religious houses containing fewer than twenty professed members should be extinguished; and that notice should be given to beneficed ecclesiastics absent from the kingdom to return within two months, under pain of confiscation of their preferments to

* *Moniteur*, tom. ii. p. 126.

the national treasury. After much discussion, the Assembly decreed on the 7th of November that Church property of all kinds should be placed under the safeguard of the Crown, the courts of justice, the magistrates and administrative bodies throughout the kingdom; and that any injury done to it should be punished in due course of law. It was further resolved to request the king to suspend nominations to Church preferments of every kind, except those charged with the cure of souls.* A third decree ordered the beneficed clergy to furnish to the Assembly, within two months, a certified statement of all property, movable and immovable, belonging to their several establishments; they were to be personally responsible for its safe keeping, and for the accuracy of their returns.

On the motion of Camus, a separate clause was added to ensure the preservation of conventual libraries; notwithstanding which it appears that many valuable books and manuscripts were lost or purloined from those collections.

Urged forward in its remorseless enterprise by the gaunt spectre of impending national bankruptcy, the Assembly determined, on the 17th of December, that a sum of 400,000,000 francs (16,000,000*l.* sterling) should be raised forthwith by the sale of portions of the domains of the Crown and of the property of the Church. The scheme, as developed by M. de Canteleu in the name of the finance committee, was somewhat complicated. It embraced, as one of its principal features, the creation of the famous "Assignate;" which were bonds or promissory notes, issued on security of the property to be disposed of, bearing interest at five per cent., and accepted by way of payment on the part of those who thus became creditors of the State. This is not the place to enter upon a description of the manifold embarrassments to which this expedient eventually gave

* *Courrier de Paris*, No. XVII. Vendredi, 6 Novembre 1789, and No. XXII. Mercredi, Novembre 11.

rise; such details belonging more properly to the secular history of the Revolution.

The first attack was made upon the property of the monasteries; both on account of its immense extent, and because greater facilities existed for realizing its estimated value. It was in this same sitting, the 17th of December, that the Ecclesiastical Committee, of whose proceedings nothing had been heard since it was appointed four months previously, suddenly presented its first report by the hands of Treilhard. This document begins by stating that the work of regeneration to which the Assembly was called must embrace all the institutions of the kingdom, inasmuch as all alike had suffered from the laxity and abuses which invariably result from the lapse of time. The clergy were not exempt from that fatal influence. The unjust distribution of their revenues, the faulty organisation of many establishments, the negligence shown in filling up important appointments, the excessive and galling pretensions advanced by ecclesiastics of a certain class—all this had provoked wide discontent and bitter remonstrances. The nation was impatiently anticipating the happy day when merit would be the sole title to preferment, when stipends would be duly proportioned to services performed, when wise and permanent boundaries would be established between the two jurisdictions, and those scandalous disputes would be for ever silenced, which had been so offensive to sound reason and so mischievous to France. Treilhard went on to say that the committee purposed to express its views successively upon all these topics; but thought it advisable to call attention in the first place to that large section of the clergy which gloried in tracing its origin to the love of perfection; in whose annals were enrolled the names of so many virtuous and illustrious personages, and which had rendered such memorable services to religion, to literature, and to agriculture—namely, the Regular Clergy. "All human institutions

carry within them the seeds of their own destruction. The rural districts, which were first fertilised by the toil of self-denying Solitaries, are now overspread by vast cities; and the commercial traffic connected with them has insensibly had a deteriorating effect upon the character of their founders. Humility and spirituality of mind have given way to indolence, lukewarmness, and negligence; and hence the veneration in which the people once held these institutions has been exchanged for coldness and indifference, to use no stronger term. The wide manifestation of public opinion has produced disgust in the cloister itself; and the sighs of those pious recluses who still retain the fervour of their profession are stifled by the groans of those of their brethren who bewail the loss of their liberty; a loss which is not now counterbalanced by any enjoyments derived from other sources." The time was come, then, to effect a reformation; but was it necessary to proclaim a general abolition of religious vows? While relief was offered to those who were weary of seclusion, ought not those to be protected who might desire to practise it still?

The Committee proposed that no constraint should be exercised for the future by public authority to maintain the external obligation of monastic vows; but, at the same time, that certain foundations should be kept up as retreats for those religious of both sexes who might feel conscientiously bound to live and die in the observance of their rule. For those who might take advantage of the option of returning to the world, a modest maintenance was to be provided by the State, varying slightly according to the age of the recipients. The annuities assigned to *ci-devant* abbots were to be somewhat larger. With regard to those who might prefer to continue in the cloistered state, the Committee advised that they should be united in sufficient numbers to ensure the exact observance of their chosen rule, and that their abode should be fixed either in the country or in small

towns, as being most in accordance with the original spirit of monasticism.

"If your decision could be influenced by any consideration of temporal interest," continued Treilhard, "your Committee would observe that such an arrangement will be beneficial in a twofold point of view; the presence of the religious communities will awaken new life in the rural districts, and you will obtain, besides, the free disposal of their property in the cities—an immense resource, specially valuable in our present critical position." Nevertheless it was not proposed that conventual establishments should be altogether excluded from the larger towns. Houses devoted to the care of the sick, to education, and to scientific pursuits were to be favourably dealt with, especially in localities where such institutions were much needed. They were to be encouraged upon motives of public utility; yet "at a moment when all eyes were turned towards the attainment of liberty, it was not desirable to sanction vows of perpetual obligation, which might become intolerable through natural inconstancy or the vicissitudes of events." With regard to the endowment of the religious houses which might thus be retained, the Committee recommended that funds should be allotted to them at the rate of 800 francs per annum for each member of the community. But how these funds were to be raised was a point upon which the Committee had hitherto been unable to agree; and it was therefore adjourned till the final settlement of the entire subject of ecclesiastical property.

The report having been read, the bishop of Clermont, president of the Committee, rose and declared, amid general astonishment, that he now heard for the first time of the plan proposed; and that he owed it to his position and his sense of propriety to protest against a measure to which he was an entire stranger, having taken no part, directly or indirectly, in drawing up the report. The accuracy of this

statement was never questioned, and it is therefore clear that the proceedings of the Committee must have been so conducted, by secret and fraudulent manœuvre, as to exclude the president and other like-minded members from any share in their control.

Treilhard and his friends felt it necessary, however, to secure a preponderance which might always be relied upon in the further prosecution of their labours; and in consequence the Committee was forthwith remodelled. Fifteen new members were appointed on February 7, 1790. Among them were seven ecclesiastics, all, with one exception, belonging to the ranks of the extreme liberals. The exception was the Abbé de Montesquiou, one of the representatives of the clergy of Paris, and lately agent-general of the clergy. He soon resigned his seat, in company with the bishops of Clermont and Luçon, and the other members of the board who shared their sentiments; so that no further obstacle remained to the success of those whose counsels, though possibly honest and well-intentioned, were destined to bring disaster and ruin on the Church.

Ecclesiastical legislation was now pressed forward at a rapid rate. The existence of monasticism was denounced as injurious to religion, and incompatible with the good order of society. "Its suppression," cried one orator, "will be an immense benefit; everything will gain by it—religion, morals, education, the poor, the public finances, and, above all, the rights of humanity, which have been scandalously violated by this institution. I cannot conceive that it is lawful for man to alienate what he has received from nature, to commit civil suicide, and rob society of his personal services. I cannot conceive that God could ever design to debar men from fulfilling obligations which He Himself has imposed, and withdraw from him the greatest privilege that He has bestowed, that of liberty!"

The bishop of Nancy, shocked by this profane tirade,

rose excitedly, and implored the house to declare on the instant that the Catholic, Apostolic, Roman religion was that of the State and of the nation. "I make this motion," he exclaimed, "under circumstances of imperious necessity. When religion is outraged at every moment in this Assembly, when blasphemies are uttered against it in this very sitting, are we not to protest? Are we to leave it doubtful whether Catholicism is or is not the national religion? Are we to permit philosophical ideas to take root in the legislature, and overthrow the faith of our fathers?" The appeal was perhaps ill-timed, for no one as yet had questioned the attachment of the French people to the ancient faith; and to attempt at such a moment, in the exasperated state of parties, to impose as it were a general religious test upon the Assembly, was scarcely a wise construction of the signs of the times. The motion was evaded by passing to the order of the day; the majority, however, and many members well known for their advanced opinions, took care to assert that they were no less zealous for the interests of Catholicism than the most eager partisans of the *côté droit*.

The Abbé de Montesquiou made an effort to mitigate the decree of suppression, by providing that the sanction of the spiritual authority should be necessary to any renunciation of the cloistered state. But this was quickly overruled; and the decree finally passed by the Assembly (February 13, 1790) was expressed as follows: "I. The National Assembly decrees, as a law of the Constitution, that the law will not henceforth recognise solemn monastic vows, either of one sex or the other; and declares, in consequence, that the Orders in which such vows are made are and will remain suppressed in France, and that none such can be established for the future. II. All inmates of religious houses may quit them on making a declaration to the local municipal officers; and a suitable pension will be immediately provided for them. Certain houses will be assigned for the residence of those who

may not wish to take advantage of the present decree. No changes will be made with regard to houses which are devoted to public education and works of charity, until the Assembly shall determine otherwise. III. Female communities are expressly exempted from the article which ordains that several religious houses shall be amalgamated into one."

"Of all the wounds inflicted on religion," says the historian Picot, "this was one of the most painful. Monks who were already seduced by the attractions of the world hastened to shake off their bonds. They were seen making their exit with ardour from their cloisters, and swelling the ranks of the new clerical body which the Assembly was about to create. A considerable number, however, remained faithful to their vocation, and did not consider themselves to be absolved from their vows because they were no longer to be recognised by law. They continued to observe their rule as far as they could, and assembled for that purpose in the houses which for the present were preserved to them. The female communities, more particularly, offered an example of sincere attachment to their profession, and refuted in the most positive manner the calumnies of those who affected to pity them as the victims of prejudice, bemoaning their hard fate under the yoke of grievous tyranny. Very few among them took advantage of the new decrees. The rest persevered in their calling, and gave by their firmness a testimony alike honourable to religion and to themselves."

An incident occurred during the final debate on the disposal of ecclesiastical property, which demonstrated too clearly the hostile animus of the majority in the Assembly, not only against the wealth and power of the Church as an establishment, but against the Catholic religion itself. The Abbé de Montesquiou, finding it impossible to gain a patient hearing, abruptly cut short his speech and left the tribune, exclaiming, "It only remains for me to implore the God of our fathers to preserve to you the religion of St. Louis, and

grant you His protection!" Upon this a Carthusian monk, Dom Gerles, rose and attempted to defend the late proceedings of the Ecclesiastical Committee, of which he was a member. "You have been told that the Committees acted from prejudice and unjust bias; I can affirm that this was not the case in the Ecclesiastical Committee. In order to stop the mouths of those who calumniously assert that the Assembly is adverse to religion, and designs to put all sects upon an equal footing throughout France, let us decree that the Catholic, Apostolic, and Roman religion is and will for ever remain the religion of the nation, and that its worship is the only one legally authorised." A tumultuous scene followed. The Right rose as one man to applaud and support the motion, which, as coming from the side of the majority, they imagined to be certain of success. But they were quickly undeceived. Dom Gerles had acted upon sudden impulse, and without clear apprehension of the real objects of his party; but the men of the Left were not likely to permit such an important advantage to fall into the hands of their opponents. They pretended that it was superfluous to pass any resolution upon a truth so obvious. "What need is there," exclaimed Goupil de Prefeln, "of any such declaration? The religion of Clovis, of Charlemagne, of St. Louis, will always be that of the nation." "The Assembly," cried Charles de Lameth, "need not be afraid of being charged with hostility to religion, while it is well known to base its decrees upon justice, morality, and the precepts of the Gospel. Has it not founded the Constitution upon that consoling principle of *equality* which is so essentially characteristic of Christianity? Has it not proclaimed universal brotherhood and charity? In the very words of Scripture, it has put down the mighty from their seat, and has exalted the humble and meek. It has realised, for the happiness of mankind, those words of Jesus Christ himself, 'The last shall be first, and the first last!'" He

observed, too, that this was the second time that the clergy had tried to extort a profession of faith from the Assembly, and that on both occasions the question under discussion was one that threatened their temporal intrests.*

The agitation on both sides became extreme. The Right demanded that a vote should be taken immediately; the Left insisted on an adjournment; and this was at length carried, after two doubtful divisions. The minority vented their disappointment in prolonged murmurings, and were with difficulty persuaded to quit the Chamber. The night was spent by both parties in anxious preparations for the struggle of the morrow. At the Jacobin Club in the Rue St. Honoré, Dom Gerles was sharply rebuked by his colleagues for his inconsiderate motion, and hastened to make his peace by promising to withdraw it. At the convent of the Capuchins, on the opposite side of the street, the assembled politicians of the Right indulged in mutual congratulations on the certain prospect of victory. "This time," cried Maury, "they cannot escape us; this motion is a match lighted under a barrel of gunpowder." Next day the baron de Menou opened the debate by proclaiming himself devotedly attached to the Catholic religion, while deprecating at the same time any public declaration on that point by the legislature, which would tend to bind or offend the consciences of others. "Why should I seek to make my opinions dominant opinions? Another man might insist with as much justice that *his* opinions should be dominant; and if we were equally obstinate in maintaining our views, this might result in the death of one of us, perhaps of both. Now the quarrels of individuals may become national quarrels; and you know what terrible consequences might then ensue. Remember

* "On ne manquera pas d'observer," writes the Venetian ambassador at Paris to his Government, "que voilà la seconde fois que le clergé demande une profession de foi de l'Assemblée Nationale, et précisément quand il est question de toucher à ses richesses." — *Venice Archives.*

the miseries that were engendered by the Wars of religion. Would you wish the National Assembly to become the instrument of bringing like misfortunes on your country? Has not God Himself declared that Christianity shall embrace the most distant limits of the earth, and that the gates of hell shall not prevail against it? And can you suppose that by passing this miserable decree you would add aught of strength or certainty to the will of the Creator? Your respect for religion is proved by the zeal which you exhibit in providing for its interests and for the expenses of its worship. I shall submit to this decree if the Assembly should think proper to adopt it; but I must hold all those who vote for it responsible for the calamities which it is calculated to produce." Dom Gerles now announced that he withdrew his motion; but the Right clamoured vehemently for the continuance of the debate, and the President was compelled to divide the house on the question whether their partisans should be heard. This was decided in the negative, but the minority refused to submit; and amid general confusion a motion was then made in the following terms by the Duc de la Rochefoucauld. "The National Assembly, considering that it neither has nor can have any authority over the conscience or over opinion in matters of religion; that the majesty of religion, and the respect due to it, will not permit that it should be made the subject of public debate; considering that the attachment of the National Assembly to the worship of the Catholic Church cannot be called in question at the very moment when that worship alone is about to be placed in the first class of the expenses of the State, and when, by an unanimous act, it has proved its respect in the only way that was consistent with the character of the Assembly; decrees that it cannot and ought not to deliberate upon the motion proposed, and that it will now resume the order of the day upon the disposal of ecclesiastical property."

This stirred up a renewal of the contest; and M. de

Virieu, on the part of the Right, proposed a counter-resolution. In vain the President declared that the discussion was closed; the strife of tongues continued notwithstanding, with ever-increasing acrimony. M. d'Epresmenil complained of the equivocal language of the Duc de la Rochefoucauld's proposition, which, he said, would never satisfy the Catholics of France; and referred to a declaration which had been made by Louis XIV. at Cambrai, to the effect that he would always maintain the Catholic religion in that city, without permitting the practice of a rival worship or the erection of Protestant conventicles. Count Mirabeau instantly retorted that, no doubt, intolerant acts of all sorts had been perpetrated during a reign which was signalised by the Revocation of the Edict of Nantes; and reminded the House that their place of meeting was within view of the very window from which a French monarch had fired his arquebus upon his innocent subjects as the signal for the frightful massacre of St. Bartholomew.* After hours of passionate altercation, the order of the day was at last carried in the terms proposed by the Duc de la Rochefoucauld; the greater part of the Right refusing to vote at all.†

Such, however, was the unabated zeal of the dissentients, that they held a second separate meeting, and drew up the following protest against the decision of the Assembly, which was signed by thirty-three bishops, twenty-six abbots and canons, and seventy-nine curés:—

"Inviolably attached to the faith of our fathers, we came to Versailles in accordance with the express direction, or the well-known purpose, of our respective bailliages, to obtain, as an article of the French Constitution, a declaration that the Catholic, Apostolic, and Roman religion is the religion of the State, and the only one which ought in this kingdom

* This imputation upon the memory of Charles IX. has always found a place in popular histories, but its correctness is extremely questionable.

† *Choix de Rapports*, &c., tom. ii. pp. 94, 102.

to enjoy the solemnity of public worship. This was a fact consecrated by the will of the nation, which could not be mistaken or contested. We therefore looked forward with confidence to the moment when it should be solemnly acknowledged by the national representatives. We made fruitless attempts to procure this recognition in the month of September 1789, and on the 13th of February and the 15th of April in the present year. Despairing of success, and after having been refused even the right of speech in the National Assembly, we have come to the resolution of publishing our unanimous adhesion to the words of the bishop of Usez, when, on the 13th of April, in the name of his constituents, in the name of religion, of his diocese, and of the Church of France, he protested against the order of the day adopted by the Assembly. In order to proclaim these sentiments, and to make them known to our constituents, we have drawn up and signed at Paris, April 19, 1790, the present declaration, which will be printed and forwarded to our constituents." *

"It is alleged," says the author of the 'Nouvelles Ecclésiastiques,' "that those who signed this protest, especially the bishops, have no one but themselves to blame for the ill-success of the motion it refers to. There was an obvious prejudice against it, as being broached unseasonably, at a moment when the question in hand concerned only the worldly interests of the higher clergy, which are very different from, and independent of, the interests of religion. It was feared that the motion covered some secret stratagem; that under pretext of maintaining religion in the possession of its sacred rights, there was a design to extend this protection to the abuses which serve the interests of its ministers—to the system of tyranny and persecution which they have so long pursued."

* Hesmivy d'Auribeau, *Mémoires*, tom. i. p. 361.

The bishop of Lydda (Gobel) declined to join the protest of his colleagues, and explained his reasons in a letter to his constituents. It was contrary to all rule, he thought, in an Assembly deciding by numerical votes, for the minority to protest against the majority, particularly after refusing to take part in the previous debate. The result ought to be respected by every member, whatever his private opinion. He doubted whether the publication of the Protest would be advantageous or injurious to the cause of religion, by reason of the different interpretations which might be affixed to it, and the questionable motives which might be imputed to its authors. Moreover, since the Assembly had already formally asserted its attachment to Catholicism, he felt warranted in believing that the recent decision could hardly prove hurtful to religion, in contradiction to the declared sentiments of the legislature.

The prelates and clergy who had signed the Protest, having thus satisfied their consciences, took little or no further part in the deliberations on the pending question of disendowment. A last effort was made to procure acceptance for the compromise suggested by Archbishop Boisgelin (by which the clergy were to advance 400,000,000 livres to the State on condition of retaining control over the rest of their property), but the House refused even to take it into consideration; and the definitive decree was adopted on the 14th of April, in four articles.

The administration of the property declared on November 2, 1789, to be "at the disposal of the nation," was assigned to the civil authorities of the different departments, subject to regulations and exceptions to be hereafter specified. The collection of tithes was to cease for ever on January 1, 1791; and the salaries of all ecclesiastics were to be thenceforth paid in money, according to a scale to be forthwith fixed. A certain sum was to be charged every year in the budget of public expenses, by which provision was to be made for

maintaining the worship of the Catholic Church, for the support of its ministers, for the relief of the poor, and for defraying the pensions of *ci-devant* members of the suppressed conventual houses. In this way the property of the nation, being released from all liabilities, was to be applied by its representatives to the gravest and most pressing necessities of the State.

Immediately afterwards the Assembly passed the law establishing the Assignats, or paper money which was to represent the landed property thus confiscated by the nation. The assignats were to be put in circulation with a forced currency, and were made a legal tender in liquidation of the debts of the State. The Abbé Maury protested, in a vigorous and well-reasoned speech, against this unfortunate measure; pointing out that the assignats would inevitably deteriorate in value, and that the result would be a virtual sanctioning of public dishonesty, the ruin of thousands of citizens, and a general degradation of the national credit of France.

CHAPTER III.

THE Church had now thoroughly taken the alarm; and the persuasion became general that, in spite of all plausible assurances to the contrary, the ruin of the Catholic religion was a thing fully resolved upon by the predominant faction at Paris. Protests against the late decision poured in from all quarters. The metropolitical Chapter of Notre Dame took the lead, and was followed by a multitude of similar bodies in the provinces. They declared that "the Catholic religion, since it had always been that of the French monarchy, to which it was, indeed, anterior in its establishment in Gaul, ought alone to have the right of exercising public worship in that kingdom, inasmuch as it alone teaches the doctrine, inspires the sentiments, and inculcates the principles of conduct, which are essential to public order, and which alone can conduct those who observe them to eternal salvation. For the maintenance and defence of that religion they were prepared, with the help of Divine grace, to shed their blood." A.D. 1790. May.

Nor were such demonstrations confined to the clergy. In the south, especially, they were shared by thousands of the faithful laity; and the act of protest drawn up at Nismes demanded that "no changes should be made in the Church without the concurrence of national Councils and canonical regulations." Serious popular commotions now broke out at Nismes, Montauban, and other towns of Languedoc. The Catholics, burning with enthusiasm, mounted the white

cockade, and were soon in armed collision with the Protestants, the Revolutionists, and the municipal and military authorities. Martial law was proclaimed; many lives were sacrificed; murder, devastation, pillage, sacrilege, prevailed for weeks throughout the district. Similar scenes occurred in other parts of the country; and the reports transmitted to the Assembly excited considerable anxiety and alarm.

The ecclesiastical reformers, however, were not deterred from their perilous course by these significant presages of that worst of national calamities—a civil war enkindled by religious dissension. In May 1790 they produced their too-famous scheme for remodelling the external constitution and administrative system of the Church. This step was almost an inevitable consequence of the recent decrees of disendowment; and it was now that the fatal magnitude of those changes first appeared in their true proportions. The act of spoliation involved much more than a mere loss of pecuniary income. It amounted to a violent disruption of the ancient constitution of France; for the loss of their property deprived the clergy *ipso facto* of their existence as a body corporate; it destroyed their immemorial position as the first of the three Estates of the realm. Thenceforth they were no longer independent proprietors, but stipendiaries of the civil government, paid for their services like other functionaries, out of the national funds. The Assembly next proceeded, logically enough, to regulate their action in that capacity, and reduce it into harmony with the rest of the new political organisation. Such was the ostensible object of the so-called "Constitution civile du Clergé."

The title assigned to this memorable measure by its authors was in point of fact a misnomer. It affected other interests besides those of a civil nature. It was a high-handed invasion of the traditional discipline, and even of the constitution, of the Church, under the specious pretext of recalling it to the standard of primitive antiquity. In con-

sequence, this rash enterprise was soon found to have started a train of difficulties which the Ecclesiastical Committee and the National Assembly had never anticipated, and which they were utterly at a loss to solve. The "Constitution civile" became the source of some of the most terrible calamities of revolutionised France.

How far the Committee from which it officially proceeded acted in this case with conscientions zeal for what they believed to be the real welfare of the Church, it is impossible to determine. It would be harsh to question the good faith of such a man as Camus, the principal framer of the plan; yet Camus, well versed as he was in ecclesiastical jurisprudence, must have been perfectly well aware that its chief features were diametrically opposed to the established system, and had little or no chance of acceptance either with the episcopate or with the mass of the clergy. Its very first article—that by which the episcopal sees were made to coincide in number and extent with the newly constituted Departments—was manifestly contrary to the existing order of the Church, and an offence to its authority. This arrangement suppressed fifty bishoprics at a stroke. The boundaries of provinces, dioceses, and parishes were rearranged; the ancient titles of the hierarchy were abolished, and new ones imposed; cathedral and collegiate Chapters, with all the dignities attached to them, were dissolved. But the most significant provision of the new constitution was that which forbade French subjects to acknowledge, in any case or under whatever pretext, the jurisdiction of "any bishop or metropolitan whose see was within the dominions of a foreign power, and likewise that of his delegates residing in France or elsewhere."

For the sanction of these grave organic changes no reference was made to the judgment of the existing Church. The sole appeal was to primitive usage. "Religion," said M. Martineau, addressing the Assembly on behalf of the

Ecclesiastical Committee, "cannot admit of alteration with regard to its faith or moral teaching. If it resorts to the reforming hand of the legislature, this can only be in respect of its external discipline; and even in that department your Committee will be careful to make no recommendation of its own devising, and to avoid indulging any preconceived theory. The plan of regeneration which it has the honour to propose to you will consist simply in a return to the discipline of the primitive Church."

The most important particular in which it was proposed to recur to the standard of antiquity was that of the election of bishops and incumbents by the whole body of the people. "Of all the abuses," continued M. Martineau, "which have corrupted the disciplinary system of the Church, none are more absurd and more numerous than those connected with the choice of its ministers. Ever since the institution of what we now call *benefices*,—that is, from the moment when the different ministers of religion, incited by the example of the first possessors of fiefs, contrived to annex to their office a portion more or less considerable of the property which the piety of the faithful had placed in the hands of the Church,—they have seemed to lose sight of the true nature of ecclesiastical employments; to take no account of the formidable obligations which they impose, and to consider only the temporal revenues of which they convey the disposal. It has almost been forgotten that they *are* offices. That term is no longer found except in ancient documents and the works of jurisconsults. In common parlance they are known by the name of benefices, that is, favours, profits. Every one claimed a licence to distribute them at his own pleasure. Hence arose the rights of lay and ecclesiastical patronage, the right of royal and seigneurial nominations; hence the practices of resignations and exchanges; hence the "indults," the ambitious procedures at the court of Rome, and a multitude of strange inventions by which the possession of a

certain domain, the holding a certain office, or even the mere swiftness of a horse, conferred the right to provide the people with pastors and the Church with ministers. Alas, what grievous evils have followed from these abuses! Private interest, family connection, and other considerations equally contrary to public advantage, have determined the choice of patrons; talent and virtue have been overlooked; passion has directed everything, and too often ignorant or unprincipled men have been placed in the charge of souls. Commissioned as you are, gentlemen, to regenerate the State in all its departments, you will not permit such abuses to subsist longer; you will extirpate them down to the very smallest vestige, and you will restore things to the condition of their primitive institution. 'Every high-priest chosen from among men is ordained for men in things pertaining to God;'—such is the idea which the Apostle of the Gentiles gives us of the Christian priesthood; and reason, as well as religion, teaches that the object of all government is the advantage of those who are governed, not that of him who governs; that the pastor is appointed for the benefit of the flock, not the flock for the benefit of the pastor.

"But if bishops, parish priests, and other ministers of religion are appointed for the sake of the people, to whom should the selecting of them be assigned but to the people? The discipline of the primitive Church recognised no other method than this for conferring ecclesiastical offices. It was held as a maxim that a ministry which rests altogether upon the confidence of mankind cannot be worthily and usefully discharged by one who does not know those whom he is to govern, and is not known to them. They were persuaded that he whom all were to obey ought to be chosen by all, and that it is preposterous to name as pastor to a church a person whom that church has never asked for, and whom not seldom it rejects. The Apostles taught this by their example. They did not conceive that they had the right of

providing themselves with colleagues and fellow-labourers, still less that they were to receive them from the hands of an individual. When it was necessary to fill up the place of the deposed traitor Judas, we are told that the whole assemblage of the faithful selected two candidates, and it was decided by lot which of the two was to succeed to the vacant office. The example of the Apostles was followed by their successors. No man was raised to the episcopate, nor even promoted to the priesthood, save by the suffrage of the people. The memory of this is still retained in our pontificals. A bishop is never consecrated except upon the demand of the senior of the assisting prelates, in the name of the whole Church. A bishop never confers Holy Orders without demanding the consent of the people. It is this ancient discipline, gentlemen, that we propose to you to re-establish in vigour. The Gallican Church practised it longer than any other, and the nation can never have been divested of the right of choosing those who are to speak to God in its name, to speak to it in the name of God, to instruct and to console it. The people cannot be forced to give their confidence to one whom they have not chosen, to one who comes to them sometimes from a suspected quarter, and sometimes from the hand of an enemy." *

Treilhard, another influential member of the Committee, expressed himself in like terms in his speech on the 30th of May. "Can you possibly hesitate to adopt a discipline which was the glory of the Church for so many ages? Can you fail to appreciate the advantages of a system by which every man who brings with him talent, good conduct, and, above all, eminent virtues, into the ecclesiastical profession, will be almost certain to attain the highest dignities?

"It is said that the elections will give rise to intrigues

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* *Rapport fait à l'Assemblée Nationale, au nom du Comité Ecclésiastique, par M. Martineau, Député de la Ville de Paris, sur la Constitution du Clergé*, pp. 16–18.

and cabals. Perhaps that may be so. Everything has its disadvantages; a perfect system is simply a chimera. But the system which the Apostles laid down and practised, the system which has adorned the Church with so many saintly personages, must undoubtedly possess some great superiority over every other." *

Such, again, were the sentiments delivered by Camus in the same debate. "The Apostles and their successors," he remarked, "knew nothing of territorial circumscriptions; the whole world was their territory. Ecclesiastical divisions, then, were not instituted by Jesus Christ; nevertheless they were necessary; and we find from St. Paul's Epistle to Titus that bishops were established in the *cities*, in the great centres of population. These cities derived their rank from the civil organisation; and the Church of Apostolic times conformed to the civil order. It was the State that conferred the title of Metropolitan upon the bishops of cities distinguished by that name. At the end of the eighth century an unworthy forger, a vile sycophant, invented the False Decretals, in order to place the institution of bishops in the hands of the Pope. Hence arose the authority which the Popes usurped; hence came the abuses which have dishonoured the Church, and will dishonour it as long as they exist. When the Pope founds an episcopal see, he says—We erect such a place into a *city*. Am I not justified in concluding from this formula that there cannot be a bishopric except in those places which the civil power has deemed proper to possess that dignity? When therefore the State thinks it right to diminish the number of sees, it has the power to do so. The ecclesiastical power ought to guide itself in accordance with the civil power. And what is true as to bishoprics holds good also with respect to parochial

* *Opinion de M. Treilhard sur le Rapport du Comité Ecclésiastique concernant l'organisation du Clergé. Imprimée par ordre de l'Assemblée Nationale.* P. 9.

cures; from the same principles, therefore, I deduce the same consequences." Passing then to the mode of appointing to the pastoral office, Camus urged that according to the ancient canons and historical monuments of the Church there is but one method, namely, that of election. "I find in St. Cyprian these words, 'De clericorum testimoniis, de plebis suffragiis'; from which it appears that the clergy were *consulted* on these occasions, and testified to their knowledge of the candidates, and that they deemed them worthy to exercise episcopal or pastoral functions; but the *election* was made by the votes of the people. I quote as an example the case of St. Martin of Tours, who was rejected by the bishop because his manner was too humble and not sufficiently dignified; but the people carried his election. Subsequently it was maintained that the electors were too numerous; kings asserted that they represented the people, and in that capacity they usurped the right of patronage. In course of time the same right was assumed by the cathedral Chapters. The exercise of seigneurial patronage is but one form of election by the people; for the seigneurs claimed it because they pretended to represent the people. Now that seigneurs no longer exist, the people resume possession of their rights. Thus nothing is more clearly in accordance with the Christian religion than the free election of bishops and parish priests." In like manner Camus denounced the gross abuses arising from the practice of appeals to Rome. The *primacy* of the Pope, he said, was doubtless to be acknowledged; St. Peter had invested him with the right to *counsel* his colleagues, but had never granted him universal jurisdiction. This being so, it was right that ecclesiastical causes should be heard and adjudicated within the kingdom to which they belonged.

The reader will be inclined to smile at the almost puerile *naïveté* of the Assembly in thus attempting to reconstruct the Church, after all the vicissitudes, conflicts, and convul-

sions of seventeen hundred years, according to the precise pattern of its original foundation. Few subjects of inquiry are more obscure than that of the successive laws which have regulated the exercise of ecclesiastical jurisdiction, and the mode of appointment to ecclesiastical offices. It is very doubtful, notwithstanding the peremptory assertions of Camus and his friends, whether the choice of pastors was determined, even in the earliest times, solely by the promiscuous vote of the people. But were that fact ever so clearly demonstrated, it would not follow that it is either desirable or practicable to bring back the Church, by one abrupt and precipitate rebound, to the simple usages of its infancy. In an age when Christianity was merely sporadic in the midst of a bitterly hostile world—when its adherents occupied a position of little social importance—when no civil pre-eminence, no large possessions or emoluments, were attached to the profession of its ministers—it might be expedient that the faithful laity should act collectively in the selection of pastors, and that their personal testimony should be necessary to all appointments. But with altered circumstances some modification of primitive discipline became almost indispensable. No Divine command existed on the subject, of perpetual obligation for all ages. The Church had exercised her judgment upon this as upon other points of administrative policy; and different rules had prevailed in different centuries. The existing practice dated from the beginning of the reign of Francis I., and had consequently a prescription of some two hundred and seventy years in its favour. The compact between that sovereign and Pope Leo X., known as the "Concordat of Bologna," was indeed an unconstitutional act, and was resisted as such at the time by the parliaments, the Universities, and the clergy of all ranks. But the system which it replaced—that of election by the cathedral chapters—was itself an innovation and a compromise. The prerogative in question had been long

and hotly contested by various claimants, who represented, more or less accurately, two great rival powers or principles —the Regale and the Pontificate, the priesthood and the laity, the "Ecclesia docens" and the "Ecclesia discens." And such was the state of scandalous confusion to which this state of protracted strife had reduced the Church, that, in the end, anything in the shape of reasonable accommodation was welcomed as a means of escape from evils still more formidable.

Now by the Concordat, the civil and the spiritual powers were brought, at least theoretically, into concurrent and harmonious action. The sovereign, typifying the lay element, was to nominate to the dignities and chief preferments of the Church, with all secular advantages annexed to them. The Pope, as supreme administrator in things spiritual, was to grant "canonical institution"; an act by which he conferred, not any temporal distinction, but the *cure of souls*— that portion of the jurisdiction of the Church Catholic which qualifies the pastor to execute his office. This arrangement, stubbornly opposed at first, and never synodically accepted, had won in course of time a large share of confidence among the clergy, especially inasmuch as they had found it to act in many a trying crisis as a powerful bond of union between the Gallican Church and the Apostolic See. The agitation raised against it in the National Assembly was a manœuvre of the Jansenists; who, under colour of restoring primitive institutions, purposed in reality to deal a damaging blow to Rome, and to overthrow the received principles of Catholic unity.

That provision of the Concordat by which French prelates (and through them inferior pastors) were to receive institution from the hands of the Roman Pontiff was abrogated in set terms by the "Constitution Civile." The Pope was no longer to enjoy *jurisdiction* over the Church of France. He was to be acknowledged as the centre of unity, but not as

the source of spiritual power—not as the dispenser of ecclesiastical "mission." It is laid down in Article XX. that "the new bishop may not (*ne pourra point*) address himself to the Bishop of Rome to obtain from him any confirmation. He can do no more than write to him ('*il ne pourra que lui écrire*') as to the visible head of the Church, in testimony of the unity of faith and communion which he purposes to maintain with him." Confirmation, or institution, was to be given by the metropolitan; who could not refuse to give it without consulting the clergy of his cathedral, and stating his reasons in writing. No declaration or oath was to be required of the bishop-elect, except that he professed the Catholic, Apostolic, and Roman religion. At his consecration, however, he was to take a special oath before the municipality and the people, to be "vigilant in the care of the flock committed to him, to be faithful to the nation, the law, and the king, and to maintain to the utmost of his power the constitution decreed by the National Assembly, and accepted by the king."

It was mere sophistry—it was simply disingenuous—to pretend that changes such as these were not important; that they were mere external details which the civil power had a right to regulate at its pleasure. Rightly or wrongly, the vast majority of Catholics were convinced that spiritual authority, spiritual jurisdiction, spiritual mission, reside in the person and office of the Pope. In their view this was a primary article of faith; and none knew better than the Ecclesiastical Commissioners that, in attempting to abolish that belief, they were doing what must deeply wound the consciences, not only of the bishops and clergy, but of all the more religiously minded laity throughout France. But it was precisely in this point that they resolved to take summary and signal vengeance for the bull Unigenitus, and all the miseries which had resulted from it for seventy years past.

The real drift of this insidious measure was exposed at the earliest opportunity, and with fearless courage, by the prelates and other leading Catholics of the Assembly. There was in their minds a preliminary objection, antecedent to any proposed legislation on the subject. They denied that the National Assembly was competent to undertake such a work as the reformation of the Church. They disallowed its authority to originate changes of that nature. They contended that its enactments would not be binding on the faithful without the sanction of the Sovereign Pontiff and of a national Gallican Synod. The fact that a certain number of bishops and other ecclesiastics sat in the existing legislature did not, in their opinion, make its voice a true exponent of the mind of the Church; and consequently, the proposals of a so-called "Ecclesiastical Committee" of that body, even supposing them to be commendable in themselves, were unwarranted and *ultra vires*.

The reader will not fail to observe that this was the crucial point upon which the Gallican Church joined issue with the leaders of the Revolution. It was no mere question of disciplinary detail—whether the number of bishops was to be larger or smaller, whether they were to be elected by the people or nominated by the Crown, whether the clergy were to be independent proprietors or stipendiaries of the State. Weighty as such questions were, they were eclipsed and overborne by one still weightier—whether the civil power was to impose laws upon the Spiritual without the concurrence of its legitimate rulers, without appeal to the authority of its representative Assemblies.

The debate was opened on the 29th of May, 1790, by De Boisgelin, archbishop of Aix. "The Committee," he observed, "desires to recall the clergy to the purity of the primitive Church. Such an object cannot be impugned by bishops, or any who hold the Apostolic Commission; but since the Committee admonish us of our duty, we must take

leave to remind them of our rights, and of the sacred principles of ecclesiastical jurisdiction. Jesus Christ conferred Divine mission upon the Apostles and their successors; He did not intrust it to sovereigns, or magistrates, or any civil functionaries. The mission which we have received by Ordination and Consecration dates back to the Apostles; no human power has any right to touch it. Observe, I am speaking of a jurisdiction purely spiritual. Abuses may have crept in—I do not for a moment deny it, I lament it as much as any man;—but the spirit of the primitive Church is always at hand to correct them. We are not here to defend abuses, but we appeal to the canons and the tradition of the Church. The dismemberment of provinces cannot be effected but by the legislation of a Council. The Church may have to submit to sacrifices, but it ought to be consulted; and to destroy its faculty of internal administration would be sacrilege. We propose to you, therefore, to consult the Gallican Church by a National Council. There the power resides which is bound to watch over the Deposit of faith; there we shall obtain such knowledge of our duties as will enable us to conciliate the interests of the nation with those of religion. In the event of your not accepting this proposal, we beg to announce that we cannot participate further in your deliberations."

Next day the discussion was taken up by two country curés, Leclerc and Goulard. The former reminded the house that the Church possesses all the rights and powers which belong to ecclesiastical government. Such power must obviously proceed from Christ Himself, and is of necessity independent of all human institutions. To invade that jurisdiction is to contravene the purposes both of the Church and its Founder. Princes are the protectors of the canons, "but God forbid," cried the speaker, quoting the words of Fénelon—"God forbid that the protector should likewise be the governor! Princes cannot legislate for the

Church; their protection should consist in making arrangements for the due execution of the laws of the Church; in passing such laws as are solicited by the Church, and which she adopts either by tacit or express consent. The creation of episcopal sees has been the prerogative of the Church from the earliest times. The case is the same as to their suppression; for the power which creates is the only one which can destroy."

Goulard insisted that the effect of the proposed scheme would be to sever the Gallican Church from its lawful head; that it would thereupon become schismatical, and eventually heretical. He attacked the clause compelling the bishop to consult his synod in case of his objecting to institute a pastor. "Priests would thus be sitting in judgment on their superior, and correcting his decisions; which would be virtually to establish Presbyterianism. If there were a sincere desire to reform the Church, let the reform be based upon the authority of the episcopate. Let Provincial Councils be convoked. Civil power and spiritual jurisdiction could not be confounded together without peril to both. It was never intended by the nation that the Assembly should be transformed into a Council of the Church."

The Assembly then proceeded to consider the clauses of the new Constitution seriatim.

Upon the first article, fixing the number and extent of the dioceses, Camus descanted at some length, reiterating his two favourite theological fallacies—first, that the clergy receive at ordination the right to exercise their ministry without territorial limitation; secondly, that the arrangement of ecclesiastical districts, being simply a matter of order and expediency, is within the competence of the civil government, and involves no encroachment on spiritual jurisdiction. "We are a National Convention," said Camus, "and have power, unquestionably, to change the national religion. But we have no thought of doing so. We intend to preserve the

Catholic religion; we intend to have bishops and parish priests; but we have only eighty-three episcopal cities, and we can only assign to the bishops a territory limited in accordance with that fact. There is nothing spiritual in settling the question whether a bishop shall have jurisdiction over nineteen parishes or over twenty." M. d'Esprémesnil attacked this reasoning, and moved as an amendment that the king should be requested to consult the spiritual power, in order that the redistribution of episcopal sees might be carried out in accordance with the laws ecclesiastical. The amendment was rejected without being put to the vote, and the clause passed in the terms proposed by the Committee.

A vehement dispute next arose upon the article abolishing the institution of ecclesiastics by the Pope. It was now that the Abbé Grégoire, in reply to a question from D'Esprémesnil, made the celebrated announcement that "it was the intention of the Assembly to reduce the authority of the Sovereign Pontiff to its just proportions; but at the same time it was equally resolved to avoid falling into schism." Thereupon the Bishop of Clermont rose and informed the House, in his own name and that of his brethren, that they declined to take any further part in the proceedings.

The debate grew desultory and confused. Opinions were broached which sounded strangely in Catholic ears. Treilhard affirmed that St. Peter possessed no superiority over the rest of the Apostles; and challenged any member to produce a case in primitive times of jurisdiction exercised by one bishop over another. The Bishop of Clermont, in spite of his recent intimation, interposed again, and protested against "the manifold heresies which had been obtruded on the House with so much ignorant assurance." "What Christian is there who does not know that the Pope possesses primacy of jurisdiction over the whole Church? The contrary has been asserted; I repudiate that assertion. You

declare that you will treat with respect everything relating to religion; beware lest by impugning its doctrines you cause that profession to be disbelieved."

The principle of election of bishops and pastors by popular suffrage was carried with slight opposition, though attempts were made, even by Liberals, to modify it in detail. One proposed to entrust the choice to the clergy of the diocese concurrently with the lay council of the Department. The Abbé Grégoire moved that non-Catholics should be excluded from the electoral body. The original arrangement was, however, maintained. The bishop elect was to present himself to the Metropolitan, or the senior bishop, for institution. The metropolitan was to have power to examine him as to doctrine and morals. If he deemed him well qualified, he was to grant him institution; if he thought proper to refuse it, he was to state in writing the grounds of his refusal, signed by himself and his council; the parties interested being at liberty to dispute the decision by means of an *appel comme d'abus.*

Upon Clause XLI., providing that curés might name their own vicaires, but restraining them to priests ordained for the diocese and approved by the bishop, Camus made a characteristic speech, exhibiting all the pertinacity of his sectarian prejudices. He insisted on the omission of the words "approved by the bishop." "The powers of the sacred ministry are conferred by ordination; when a man is once ordained, he has no need of any further *approbation.* It was not till the sixteenth century that the clergy were subjected to any additional test. The practice of episcopal 'approbations' dates from the Council of Trent. The discipline of that Council is not in force in France; but in this particular it was found convenient, and as such was introduced into the kingdom. Events which occurrred at Agen formed a pretext for this proceeding; the Royal Council then decided that priests should not be at liberty to preach without the

consent of the bishop of the diocese.* At length, in 1695, all priests, regular and secular, were forbidden to preach without the permission of the bishop; the latter being empowered withal to limit their licences to a certain place, or for a certain time, or to suspend them at pleasure, without specifying his reasons, and with the single check of an *appel comme d'abus.*

"It is easy," continued Camus, "to see the absurdity of this edict, both in principle and in detail. By what means was it procured? We find from the *procès-verbal* of the Assembly of 1695 that a considerable subsidy was voted on that occasion. It is not stated that the grant was made with a view to obtain the edict; but that the fact was so may be fairly presumed from the circumstances.

"A law so purchased could hardly fail to produce mischievous effects. I shall not enumerate them, for they are only too well known. But this law, so absurd, so contrary to religion, must be abolished. The expression in the article must be 'priests established in the diocese,' without employing the word 'approbation.'"

The whole speech curiously illustrates the leading features of the system inculcated by the framers of the Constitution Civile. That system aimed, in the first place, at detaching National Churches from their union with the Roman See; while, on the other hand, it encouraged an insubordinate spirit in the clergy of the second order towards their diocesans. Such teaching evidently tended to derange and disintegrate the framework of the Church.

The article in question passed finally in the following terms: "Every incumbent shall have the right to choose his own curates, but he cannot choose them except from among priests ordained for the diocese, or who have been duly incorporated into it. If he desires to take a curate

* See *Mémoires du Clergé de France*, tom. iii. pp. 1002 *et se*

from another diocese, he cannot do so without the consent of the bishop."

A lengthened discussion followed as to the amount of the emoluments to be assigned to the bishops and clergy under the new system. These were calculated upon a wretchedly parsimonious scale. The revenue of the metropolitan bishop of Paris was fixed at 50,000 francs (2,000*l.*). Other prelates were to receive from 12,000 to 20,000 francs, according to the size and importance of their sees. An attempt made by Cazalès to raise the minimum stipend to 20,000 francs was unsuccessful, as was likewise a counter-proposal by Robespierre to reduce it to 10,000 francs. The Abbé Gouttes proposed to restore to the clergy a certain portion of their confiscated landed estates; it would be advantageous, he argued, both to them and to the State that their incomes should be derived in part from that source. This suggestion met with considerable support, and was only rejected by a very small majority after three divisions.*

On the 12th of July M. Martineau recapitulated all the articles of the Constitution Civile, which was thereupon formally approved and adopted by the Assembly.

An interval of several weeks followed, during which it seemed doubtful whether the king would sanction it or oppose his veto. On the 20th of August a member rose and expressed his surprise that the decree of the house accepting the Constitution Civile had not yet been officially notified; upon which Lanjuinais replied that the Government "was waiting for a letter from the head of the Church, for the purpose of reassuring apprehensive consciences."

Louis XVI. had indeed been for months past in anxious communication with the court of Rome upon this question, and was still uncertain what course to pursue. Pope Pius

* *Moniteur*, Séance du Jeudi 17 Juin 1790.

VI., on his part, had been no inattentive spectator of the startling events of the past year in France. Prudential reasons had induced him to abstain from intervention during the earlier stage of the Revolutionary outbreak; but at length, lest this reticence should be imputed to timidity or want of energy, he broke silence in an allocution to the Secret Consistory, on the 29th of March, 1790. On this occasion the Pope thus enumerated the causes which made it necessary that he should interpose the authority inherent in his office. "One of the first decrees of the Assembly was that which asserted that every man is at liberty to think about religion as he pleases, and to publish his opinions with impunity; and further that no man is bound by any other laws besides those to which he has personally consented. Religion itself soon became a matter of public deliberation; and it was debated whether Catholicism should be retained, or not, as the dominant religion within the realm of France. Non-Catholics were declared eligible to all employments, municipal, civil, and military. It was decreed that solemn monastic vows should be no longer recognised; and the doors of convents of both sexes were thrown open for the exit of their inmates. Ecclesiastical property has been declared to belong to the nation, and tithes have been abolished. Can we decline to raise our Apostolic voice against such iniquitous decrees, by which religion is brought into peril, and the communications of this Holy See with that kingdom are well-nigh intercepted and cut off? But in what way, or to whom, should we speak? To the bishops, who are deprived of their authority, and forced to desert their dioceses in dismay? To the clergy, dispersed and humbled as they are, and unable to meet in their lawful assemblies? To the most Christian king himself, stripped of regal power, and in subjection to the Assembly, to whose decrees he is compelled to give the sanction of his name? Almost the whole nation seems to be miserably seduced by an empty phantom of

liberty, and enslaved by a band of philosophers who contradict and abuse each other, not perceiving that the safety of kingdoms reposes mainly upon the doctrines of Christianity, and that their happiness is best secured when sovereigns are obeyed with unanimous consent, according to the express teaching of St. Augustine." *

Under such circumstances his Holiness judged it expedient to watch for a favourable opportunity of making known his sentiments to the world; implying that he would declare himself as soon as he could do so without risk of doing harm instead of good. Meanwhile his silence was not to be ascribed to negligence, much less to an approval of the events referred to; and he expressed a hope that it might shortly be in his power to open his mind with such frankness as might tend to the advantage and edification of the Church.†

Such language left no room for misapprehension as to the views of the sovereign Pontiff; and the state of the case must have been perfectly known to Cardinal de Bernis, the ambassador of France at Rome. But the unhappy Louis, torn by the conflicting embarrassments of a cruel dilemma, had conceived a hope that by means of some temporary compromise he might at least stave off the calamities which he foresaw too clearly in the distance. The Constitution Civile was offensive to his conscience; he shrank from accepting it, both as repugnant to his own principles and because he felt that it must prove the source of grave dissension in the Church; yet on the other hand to reject it abruptly would be to expose himself, his family, and his kingdom to consequences equally if not more disastrous.

* "Natio ferè omnis specie vanæ libertatis miserè seducta paret, et mancipatur concilio philosophorum se invicem mordentium ac obtrectantium, non agnoscens quod regnorum salus potissimùm innitatur Christi doctrinæ, quodque eorum constituitur felicitas ubi pleno consensu regibus obeditur, ut totidem verbis docet Augustinus."

† See Theiner, *Documents Inédits relatifs aux Affaires Religieuses de la France*, tom. i. pp. 2–4.

Would it be possible to induce the holy Father to tolerate for a time, under the pressure of unexampled difficulty, a series of measures which in the abstract he could not be expected to approve?

Some of the king's advisers encouraged this idea; and it was resolved to draw up and submit to the Pope certain propositions which might serve as a tentative basis for a conciliatory transaction. But in the meantime a document reached the Tuileries which must have convinced the distressed monarch that the head of the Church had already formed his judgment as to the acts of the French legislature, and was by no means likely to reverse it. On the 10th of July, 1790—two days before the new Constitution had been finally voted—Pius addressed a brief to his "dearest son in Christ, Louis, the most Christian king of the French," warning him against artifices and arguments by which he might be misled into a false policy, based on the plausible plea that it would restore public order and secure the happiness of his people. "We," proceeds the Pontiff, "who represent Jesus Christ upon earth, and to whom He has committed the deposit of the Faith, feel it specially incumbent upon us, out of the paternal love we bear you, to declare and announce to your Majesty in the most positive terms, that if you should approve the late decrees concerning the clergy, you will thereby involve your whole nation in error; you will precipitate your kingdom into schism, and perhaps into a calamitous religious war. We have hitherto exercised scrupulous precaution, lest a movement of this kind should be excited in consequence of any act of ours; but if religion should continue to be exposed to danger in France, the head of the Church will speak in tones which cannot fail to be heard, though without any violation of the rules of charity. Do not suppose, dearest son, that the doctrine and discipline of the universal Church can be altered by a merely political and secular body; that the judgments of Fathers and Coun-

cils may be set at nought and abrogated, the hierarchy overthrown, and, in a word, that the whole fabric of the Church Catholic may be undermined and disorganised, at its pleasure."

"Your Majesty possesses in your Royal Council two archbishops, one of whom has been throughout his episcopate the champion of religion against the aggressions of infidelity, while the other is profoundly versed in all that relates to ecclesiastical law and jurisprudence. Consult them, together with other prelates and doctors eminent for piety and learning; lest the eternal salvation both of yourself and your people should be imperilled by a hasty act of approval, which would cause offence and scandal to all Catholics. You have already sacrificed many of your own prerogatives for the good of the nation; but, if you were justified in making concessions in regard to rights inherent in your kingly crown, you have no authority whatever to alienate or surrender those which belong to God and to His Church, of which you are the eldest son."

The two prelates referred to by the Pope were Lefranc de Pompignan, archbishop of Vienne, and Champion de Cicè, archbishop of Bordeaux. Archbishop de Pompignan held the "feuille des bénéfices"; the archbishop of Bordeaux was Keeper of the Seals.* They were men of considerable capacity and merit, but not gifted with sufficient vigour of character to cope with the tempestuous agitation and contending passions of the time. Instead of counselling their master to stand firm, and deal faithfully with conscience at all hazards, they hesitated and temporized, and wasted their time in timid projects of accommodation, for which they

* De Pompignan died on December 29, 1790. "Désolé de ce qu'il avait trahi le devoir de son ministère par un silence coupable, il succomba peu de temps après, à l'idée déchirante d'avoir pu contribuer à la chute de la Monarchie et à la destruction du culte Catholique. Il mourut de douleur; et l'Assemblée Nationale, qu'il n'avait que trop bien servie, refusa d'honorer ses obsèques d'une députation."—Hesmivy d'Auribeau, *Mémoires*, tom. i. p. 115.

could scarcely have expected a favourable issue. Both had received autograph letters from the Pope, under the same date with that addressed to the king, exhorting them to employ all their influence to dissuade Louis from sanctioning the fatal Constitution, and warning them that it is not allowable, in point of religious principle, to practise dissimulation for any reason whatsoever, even with the purpose of returning to the paths of truth when circumstances shall have altered.* These communications, together with the brief addressed to the king, they thought proper to conceal, not only from the Assembly and the general public, but even from their episcopal brethren, and those most interested in the welfare of the Church. The consequence was that, although it was known that an attempt was being made to negotiate with Rome, contradictory rumours were circulated as to its purport; Catholic susceptibilities were excited, and grave apprehension spread through the provinces.

It is an open question, and one that may at least be plausibly argued on the affirmative side, whether, if Louis and his ministers had acted differently in this emergency, they might not have improved their chance of making head against the impetuous tide of revolution. Had it been distinctly announced that the Constitution Civile was disapproved by the Pope on the score both of doctrine and of discipline, and that on that account the sovereign felt bound in conscience to withhold his sanction, this would doubtless have had a stirring effect upon all the loyal-hearted classes of the nation, especially in the south and west of France. Enthusiasm would have been kindled instantaneously. A clear light would have been thrown on many doubtful points; subterfuges, evasions, fallacies, would have been swept away; and the faithful would have seen at once that the only way to deal with the new theology was to repudiate it root and branch. But in

* Theiner, *Doc. Inéd.* tom. i. pp. 7–10.

the absence of any such announcement the Catholic mind was sorely perplexed. The Revolutionists confidently asserted that the Pope was by no means opposed to the Constitution, and would in the end sanction it, with certain explanations; and this report, by dint of diligent repetition, obtained some credence even among the orthodox ranks. The king, hoping against hope, clung to the same delusion; and instructed Cardinal de Bernis to lay before his Holiness a series of articles which amounted to an acceptance of the Constitution, with the single exception of the clause which virtually denied his supreme jurisdiction, by forbidding bishops to resort to him for canonical institution.* "Your Holiness," wrote Louis on the 28th of July, "knows better than any one how important it is to preserve the ties which unite France to the Holy See. You will never permit it to be questioned that the most pressing interest of religion, in the present situation of affairs, is to prevent a deplorable division, which could not be inflicted on the Church of France without rending at the same time the bosom of the Church Universal." † The Pope, out of consideration for the ill-fated prince, refrained from returning a direct negative, and contented himself with referring the case to a commission of Cardinals. This encouraged Louis to believe that some arrangement might ultimately be effected; and without waiting for a definite answer, he resigned himself to an act of which he afterwards bitterly repented. Yielding to the impatient demands of the Assembly, he signified, on the 24th of August, his assent to the Constitution Civile.

It is easy to perceive, now that the question has long

* "Eminentissimo Cardinali de Bernis mandabantur, ejusque ministerio ad aures Sanctitatis Vestræ deferentur, non ea quidem, ut optabam ego, et rex ipse voluisset, quæ strictæ sacrarum regularum observationi Ecclesiæque dignitati magis congruunt, sed quæ videtur exigere luctuosi temporis necessitas, conscientiarum tranquillitas, imminens schismatis periculum. Et ista non ut leges perpetuæ, sed tanquam provisoriæ dispensationes proponuntur."—The Archbishop of Vienne to Pope Pius VI., July 29, 1790. Theiner, *Doc. Inéd.* tom. i. p. 283.

† Theiner, *Doc. Inéd.* tom. i. p. 264.

been determined by the events of history, that this was the most injudicious course which could have been taken. It perplexed and disheartened all true friends of the Church; while it encouraged the Revolutionists to push their aggressions to the most violent extreme. If Louis had been able to accept the proposed changes with a clear conscience, believing them to be upon the whole beneficial to his kingdom, and boldly risking a rupture with the Holy See upon grounds satisfactory to himself and his chief councillors, it is possible that means might have been found eventually for settling the reformation of the Church upon a basis acceptable to the nation. On the other hand, if he had at once made public his insuperable aversion to the whole scheme, refused to sanction it, and appealed vigorously to the Catholic traditions and convictions of his people, there is reason to believe that the response would have been such as to bring about a modification or relinquishment of the more exceptionable articles. But the *middle* course—the trimming, half-hearted, disingenuous mode of procedure—was the most unpromising of all. Louis was fully persuaded that the Constitution Civile was incompatible with some of the first principles of Catholicism as then universally received; but he had not the courage to act consistently on that conviction. He determined, therefore, to make a compromise with conscience; to accept the decree of the Assembly, while at the same time he sheltered himself from the responsibility of the step by seeking a quasi-sanction of it by the authority of Rome.

More than two months elapsed before further action was taken with respect to the late ecclesiastical legislation. During this interval the French bishops exerted themselves to set before their flocks in plain and forcible language the real character of the changes which it was sought to introduce into the economy of the Church; and to fortify them against any temptations to swerve from the ancient faith. One of the most remarkable of these utterances was an

"Instruction Pastorale" by Mgr. Asseline, bishop of Boulogne, bearing date October 24, 1790. This obtained such high estimation among his colleagues that more than forty of them, including the archbishop of Paris, adopted and republished it for the guidance of their own dioceses. It may thus be regarded as a collective manifesto on the part of the orthodox clergy, and a fair synoptical statement of their case; and for this reason it may be desirable to give a sketch of its contents.

The prelate begins by establishing the distinct existence and independent authority of the two Divinely-ordained powers, the Temporal and the Spiritual;—a doctrine which struck at the root of the pretensions of the National Assembly in the matter of Church reformation. "The Spiritual authority exists upon earth, equally sovereign, equally absolute, equally independent within its own sphere, with the civil power; and as it is not the business of the spiritual ruler to administer the State, so neither has the temporal ruler any power or right to govern the Church. Up to that memorable epoch when Constantine submitted to the Gospel, the civil power never thought of occupying itself with the administration of the Church; yet, amid the horrors of persecution, the spiritual authority had developed itself in its entire extent, and with perfect independence; the chief Pastors had regulated everything, and the Church, from the moment when she obtained her liberty, showed herself to the world as a society completely organised, solely by the exercise of the power which its chief officers had received from Him 'whose kingdom is not of this world.' Now the Church cannot have lost, through the conversion of temporal princes to the faith, that authority which she exercised in the days of persecution. The world, when it submitted to the Church, did not acquire the right to enslave it; princes, on becoming children of the Church, did not become its masters. It is true that, since that happy revolution which made the cross

of Christ the brightest ornament of the royal crown, the civil ruler has been styled the 'external bishop,' and that one of his noblest prerogatives is to protect the Church; but he cannot merit that honour except by first setting an example of obedience. The external bishop must not assume the functions of the internal; he stands, sword in hand, at the door of the sanctuary, but he takes care not to enter it; he protects the decisions of the Church, but he does not make them. His office is to maintain the Church in full liberty against enemies from without, in order that she may freely pronounce, decide, approve, correct, and cast down every high thing that exalts itself against the knowledge of God. But the protector of liberty must not diminish it. If he should attempt to direct the Church, instead of being directed by her, his protection would no longer be an advantage, but a yoke in disguise.*

"Again, people repeat continually that 'the Church is in the State.' This is true; but the maxim must be taken in its proper sense, and not misconstrued. The Church is in the State; that is, the civil power is always and absolutely sovereign as to temporal administration; and all members of the Church, whether clergy or laity, are bound to submit to that power in everything that concerns temporal and political government. But the Church is not thereby divested in any measure of her own sovereign authority in things spiritual. If every National Church is in the State, every Catholic State is likewise in the Church; and just as each Catholic State preserves in the Church its absolute independence in political concerns, so does each National Church enjoy in the State a similar independence in spiritual concerns. Divine wisdom did not establish the two powers to oppose each other, but for the purpose of affording mutual assistance and support; which support is to be given in the

* These latter sentences are quoted from Fénelon's sermon 'Pour le sacre de l'Electeur de Cologne."—*Œuvres*, tom. iii. p. 260.

way of correspondence and co-operation, not in the way of subordination and dependence."

The bishop proceeds to point out that the National Assembly had palpably usurped the functions and violated the independence of the spiritual power by its late action in the Constitution Civile. The suppression, creation, and delimitation of metropolitical sees, dioceses, and parishes, the adoption of a code of laws for the election and institution of pastors, and for regulating the exercise of jurisdiction among the several grades of the hierarchy—these are essentially acts of spiritual authority. The ancient boundaries of a province or a diocese cannot be altered either in the way of extension or reduction, without thereby enlarging or diminishing the jurisdiction of the lawful ordinary, by placing under his charge a number of clergy and laity who before were not subject to him, or by withdrawing from him those who had been expressly committed to his care. But it is clear that these are spiritual functions. Whence, then, did the National Assembly obtain the right to undertake them?

Bishop Asseline goes on to observe that these proceedings cannot be justified upon the plea that bishops receive at their consecration an unlimited power of jurisdiction, which may from time to time be regulated by the State, according as it may think fit to change the circumscription of ecclesiastical districts. This is contrary to the rule of the Church. The Church, when she consecrates a bishop, assigns to him jurisdiction within a definite territory; his see is established in a particular spot, and is granted to him individually and exclusively. It is for this reason that bishops are forbidden, under heavy penalties, to perform any episcopal function within the diocese of another bishop without his permission.

So, again, with respect to the proposed arrangements for the election and institution of bishops and parish priests, including the conditions upon which they are to be eligible, and the precautions to be taken to ascertain their orthodoxy.

"Will any man pretend," asks the bishop, "that these are not matters of a spiritual nature? Manifestly they are such; and upon what principle, then, can they be proper subjects for the legislation of the civil power?

"But it is alleged in justification, that it is necessary to re-establish primitive discipline. It might be sufficient to reply that a return to primitive discipline can be enacted only by the same authority that prescribed it in the beginning. But was such a thing ever seen in the early ages as the election of a bishop without previously convoking the clergy to take part in it? The learned historian of the Church (Fleury) gives a very different idea of the ancient practice. The choice of bishops was made by the neighbouring bishops, with the advice of the clergy and the faithful of the vacant diocese. The metropolitan was present, together with his comprovincials. The clergy were consulted, not only those of the cathedral, but of the whole diocese; in like manner the regular clergy, the magistrates, and the people; but the actual election was made by the bishops. Such was the practice during the first six centuries; and it continued nearly the same during the four following ages." *

The bishop adverts in the last place to that which in his eyes was a fundamental principle of Catholicism, the primacy, not only of honour but of jurisdiction, belonging of Divine right to the Roman Pontiff as successor of St. Peter;—a principle repudiated implicitly, if not in so many words, by the Constitution Civile. He deduces it from the well-known passages of Scripture which in the Western Church have been usually held to establish it, and further enforces it by copious quotations from Bossuet's celebrated Sermon on the Unity of the Church, preached before the Assembly of the clergy in 1681.†

* See Fleury, *Hist. Ecclés., Discours* ii. § 4.

† *Œuvres choisies de Mgr. Asseline*, tom. iv. pp. 1–62. Paris, 1823.

This was, in fact, in the view of the Gallican episcopate at this crisis of its history, the "articulus stantis vel cadentis Ecclesiæ"; and it was this, more directly than any other difficulty arising out of the projected changes, that led to the disastrous schism which was soon to convulse the Church. Other innovations might possibly have been tolerated on the part of Rome, or modified or withdrawn on the part of the Assembly; but upon the dogma of the Papal Supremacy no transaction was possible. It was a test which could not be trifled with; it must either be accepted or rejected; and the consequences of each alternative were patent and unavoidable.

The dispute was no new one. At what a lavish expenditure of intellectual energy, with what depth and variety of learned research, with how much ingenious distortion of historical truth, and with what disheartening results as regards the sacred cause of Christian unity and concord, this controversy has been agitated in successive ages, the annals of the Church bear ample testimony. Nor is this surprising; for if it be true that no bishops are rightly qualified for their functions save those who have been instituted by the Pope, it follows, without further argument, that the claims of the Roman see to supreme jurisdiction are absolutely irresistible.

The dogma that the prerogative of institution belongs exclusively to the Roman Pontiff is the very key-stone of the (so-called) Ultramontane fabric; and no further proof is needed that the Church reformers of the Revolution were opposed in essential principle to the theology of Rome, than the fact that that dogma was expressly eliminated from their creed. When this principle was distinctly admitted by the Concordat of Bologna, Rome acquired an advantage in comparison of which other points of ecclesiastical polity become secondary, if not insignificant. The reader scarcely needs to be reminded of the many instances in history in which

that treaty led to keen conflict between the French Government and the Apostolic See. The prerogative of institution, like every other prerogative, was capable of being abused; and on some occasions the degree and character of the pressure exercised by the Papacy upon the State were excessive and indefensible. But, on the other hand, it was a weapon of singular potency when used with wisdom for the legitimate defence of the Church. It was a standing witness to the real existence of Spiritual Power, independently of all secular and civil authority. It was a wholesome check upon royal absolutism; a protest against the encroachments of temporal legislators and temporal tribunals; a safeguard against the inroads of Erastianism. Hence arose the instinctive and determined hostility with which it was regarded by the authors of the Constitution Civile.

The bishops belonging to the Assembly put forth, almost at the same moment with the charge of Bishop Asseline, a manifesto which became widely celebrated, under the title of "Exposition des Principes des Évêques de l'Assemblée sur la Constitution Civile du Clergé." It had been previously submitted to the Pope by Boisgelin, archbishop of Aix, who drew it up at the instance of his brethren. This able document bore the signatures of thirty prelates, and was adopted afterwards by more than one hundred of their colleagues in different parts of the kingdom; so that it was justly characterised by the Pope in his reply as "expressing the doctrine of the collective Church of France."

The style is clear, simple, temperate, and dignified. The "principles" enunciated are identical with those laid down in the "Instruction" of Bishop Asseline; but the author enlarges with peculiar force and emphasis upon the delicate question of conciliation and compromise between the French legislature and the court of Rome. "Much has been said about conciliation. The sole method of conciliation consists in recognising the rights of the spiritual power, which rights

are ignored by the late decree. It has been attempted to set aside the ecclesiastical power; but that power reappears inevitably. The reason is that the question (whatever may be said to the contrary) is purely spiritual. It is proposed to suppress not only bishops, but churches, and to create new episcopal sees; but this cannot be done without the consent and co-operation of the spiritual power. The Church herself never divides by arbitrary action a diocese of ancient foundation. She affords a hearing previously to the parties interested. From the sixth century downwards these invariable rules have been observed in the erection of new sees;—the consent of the sovereign and of the bishop of the diocese, the appeal to the metropolitan and to the Pope. The multiplied records of the Church of France attest in every age the indispensable co-agency of the Priesthood and the Empire."

"For more than two centuries past French bishops have received canonical institution at the hands of the Pope; and the same practice obtained in times anterior. By what fatality does it happen that the head of the Church has never been consulted as to the rights assigned to him by laws more than two hundred years old, and upon a part of his jurisdiction which he has exercised in all ages with the perpetual sanction of the Church?

"We desire to be made acquainted with the mind of the Church, in order to establish the necessary concert between the civil and the ecclesiastical authority, and to preserve, through their union, the peace of consciences and public tranquillity. For this purpose we have demanded the convocation of a National Council, and we have claimed, according to the ancient forms of the Gallican Church, the right of appeal to the head of the Church universal. We have requested the National Assembly to suspend the execution of its decrees in the departments until the Church shall have declared itself by the voice of its visible head, or until

the canonical forms have been fulfilled in accordance with that wisdom and charity which direct the exercise of its power. There are no legitimate methods of examination, of conciliation, and of decision, which we have not propounded; and we shall at least have the comfort of having striven to maintain our principles in that spirit of concord and peace which becomes our ministry.

"It would appear that such were the dispositions of the Ecclesiastical Committee itself, when it petitioned the king to 'take the necessary measures for the execution of the decrees.' For these 'necessary measures' depended upon the action of another power besides that of the nation and the king. His Majesty considered it his duty to communicate with the head of the Church, to consult the Church through him, and to solicit his reply. In desiring, therefore, to wait for that reply, we are not contravening any decree pronounced by the National Assembly; the Assembly never intended to exclude the concurrence of the Church. No law has ever revoked the laws either of the Church or of the State with respect to the ecclesiastical jurisdiction. The Assembly does not profess to regulate the *ecclesiastical* constitution; it has only legislated on the '*civil* constitution of the clergy,' in a State which has adopted this Catholic religion as the religion of the State. We cannot, then, be charged with any offence to the civil power if we decline to recognise its rights over a spiritual jurisdiction which it has never assumed for itself. We desire to avoid a schism; to make use of every expedient of wisdom and charity in order to prevent the troubles which such a distressing event would occasion. We consider, therefore, that our first duty is to wait with confidence for the reply of the successor of St. Peter; who, placed as he is at the centre of Catholic unity and communion, is by his office the interpreter and organ of the mind of the universal Church."

This "Exposition des Principes" was the last appeal

made to the world by the Church of France in its corporate capacity before it was laid low by the sacrilegious hand of the spoiler. Its voice was re-echoed with enthusiastic eagerness by cathedral chapters, religious bodies, and vast numbers of parish priests from one end to the other of the kingdom. The demonstration was one of immense importance, as testifying the determination of the majority of the French clergy to remain faithful at all risks to their engagements with the see of Rome; while, on the other hand, it must have inspired no small misgiving in the opposite camp as to the ultimate success of their new-fledged Constitution.

That the orthodox clergy by no means looked upon their cause as desperate, and that the future fortunes of the Gallican Church were considered to depend mainly upon the character of the policy which might be announced at this moment by the supreme authority of the Vatican, is clearly apparent from the following letter addressed by the Archbishop of Embrun to Cardinal de Bernis, French ambassador at Rome, dated October 30, 1790.

MONSEIGNEUR,—Your Eminence is aware of the deplorable situation of France. . . . The new ecclesiastical Constitution places the kingdom in a state of schism and of heresy. That is the unanimous opinion of the clergy of France. The bishops of the Assembly have protested; those out of doors will follow them with all the energy that the circumstances require. They have kept silence till now out of respect for the Holy See. They know that his Majesty has consulted the Sovereign Pontiff, and they wait for his decision with that filial submission from which the clergy of France have never swerved. If, through considerations which no doubt have been suggested to the Pontifical court, his Holiness by any lenient concession should permit the present system to subsist either in whole or in part, I see no further means of redress; religion is banished for ever from the French

empire. We shall fall short of candidates for the ministry; we shall be regarded as vile stipendiaries, whom the people will deem very much below them, inasmuch as they pay their salaries; and you know that the amount of good that one can do depends upon the consideration one enjoys. But if, on the contrary, the Sovereign Pontiff should decide, with all the solemnity that surrounds the Holy See, that this unhappy Constitution is inadmissible in principle; that it is contrary to the order established by Jesus Christ Himself, and recognised by the whole Catholic Church,—then courage will revive. Parish priests who have lost everything through ignorance or motives of self-interest will no longer have any excuse to plead. They are beginning to perceive that they have been duped; they are seeking a pretext to renounce their apostasy. They would in that case proceed to instruct their flocks, supported by the imposing authority of a bull solemnly pronounced; and I think I can assure your Eminence that their endeavours would be successful. Public opinion begins to change; enthusiasm is subsiding. We have no longer either aristocrats or democrats; the class of the malcontents absorbs every other. The bull of the Supreme Pontiff, the assignats, the taxes, and, above all, the pressure of trouble and misfortune, will do the rest. Tranquillity will be re-established.

Such are the reflections which I have thought it my duty to submit to your zeal and intelligence. I beg you to regard them as a proof of confidence, and of the respect with which I am &c. &c.

P. L. Archbishop of Embrun.*

But notwithstanding this and many similar appeals from ecclesiastics in high position, the Vatican still clung to its system of reserve; and several months elapsed before any notification was made to the world that the Constitution

* Theiner, tom. i. p. 297.

Civile was condemned by the Apostolic See. It was during this suspense that those ruinous acts were perpetrated at Paris which for a time divorced the Gallican Church from the centre of unity to which it had adhered for nearly fifteen centuries; which divided the clergy into two antagonist factions, whose mutual jealousies and anathemas profaned the innermost sanctuaries of religion; which kindled the flames of an unnatural and inhuman persecution; which inflicted upon France the scourge of a civil war, the effects and memories of which cannot be said even now to be finally extinct.

CHAPTER IV.

THE moment approached when the novel Constitution fabricated by the Revolutionary Assembly was to be put into active execution. In some instances, indeed, measures had already been taken for that purpose by the departmental authorities, and had met with an amount of resistance which plainly portended the outbreak of a general storm. One of these involved the election of a bishop in accordance with the newly prescribed forms. Upon the death of the Bishop of Quimper in Brittany, the Directory of the department convoked the electors to proceed to the choice of a successor; and on the 31st of October they pronounced, by a majority of voices, in favour of Louis Expilly, rector of St. Martin at Morlaix, and a member of the Ecclesiastical Committee. The cathedral Chapter, however, had continued to administer the diocese *sede vacante*, according to ancient usage, in defiance of the legislative act by which it was suppressed. An incumbent was presented to a vacant benefice; whereupon the local magistrates interfered, declared the appointment null and void, and forbade the nominee to take possession. The latter vigorously protested against the violation of his rights; and feeling sure of support, not only moral but physical, from the Catholic population, he forced the door of the parish church, which was closed against him, and established himself triumphantly in his pastoral charge. Such was the *début* of the Constitution Civile.

Similar scenes occurred elsewhere. The bishop of St. Pol

de Léon, on receiving an official notice that his see was suppressed, refused to accept it, since it was addressed to "the *ci-devant* bishop of St. Pol de Léon." He returned it to the Directory to have the mistake rectified; and took the opportunity of signifying to that body at some length his opinion of their principles and proceedings. The Revolutionists enforced the law against him to the last extremity. He was expelled from his palace; and, as he persisted in officiating and exercising his functions as before, an order was issued to arrest him. Upon this he made his escape from the country, and took refuge in England, whither he was followed by many of the clergy of his diocese.

The Assembly was soon made aware that a very large proportion of the bishops and clergy were determined to defy its late decrees. But it had gone too far to recede; and, moreover, it was believed that when the question should have been reduced to the *ultima ratio*, and submission was exacted under pain of deprivation, the courage of the boldest would quail. Few would be found, it was confidently prophesied, to prefer ruin and starvation to the adoption of a system which, after all, preserved the substance and essential dogmas of Christianity; and the policy represented by the new Constitution would prove universally successful in the end.

It was under such impressions that the Assembly, perversely contradicting its own declared principles, resolved upon a measure which amounted to a direct persecution of the nonconformists, and consummated the long-foreseen schism in the Church, with its irreparable consequences.

On the 26th of November, 1790, the deputy Voidel, in presenting a joint report by four committees, made a violent attack upon the clergy, upbraiding them with all the vices and scandals of the old *régime*, and denouncing them as the authors of sedition and revolt in all quarters of the kingdom. "A league has been formed against the State and against

religion among certain bishops, chapters, and parish priests. Religion is its pretext, but self-interest and ambition are its real motives; and the means which it employs is an organised resistance to the law, showing the people that authority may be braved with impunity, encouraging them to disobedience, promoting the dissolution of all the bonds of social order, and provoking civil war." In proof of this the orator quoted a letter of the *ci-devant* bishop of Tréguier to the curés of his diocese, in which he declared that he should regard as intruders any bishops or priests appointed under the new system, and that he would not communicate with them *in divinis*; a line of conduct which he justified on the authority of a former Roman Pontiff, who had pronounced that the episcopal office can neither be extended nor restricted without the approbation of the Apostolic See. Voidel went on to enumerate various acts of insubordination committed by other prelates. The bishop of Lyons, being summoned by the Directory of his department to proceed to his diocese, where he had not yet made his appearance, had returned no reply. The bishop of Beauvais, a member of the Assembly, had evaded an official demand for the prompt execution of the new constitution by pleading that, as he knew not when the session might come to a close, it was impossible for him to fix a date for returning to his administrative duties. The bishop of Lisieux (a suppressed see) refused to obey the decree until the Pope's reply should be made known, and asserted that the ties which bound him to his flock could only be broken by canonical sentence, or by his free resignation freely accepted by the Pope. The bishop of Soissons stated that he could not consent to any extension of his diocese without committing the offence of intrusion; and that, as to the civic oath, he should interpret it as referring exclusively to *political* matters—a reservation which he thought himself entitled to make, since it had been already pleaded in the Assembly without objection. The bishop of Nantes,

again, protested against the suppression of his cathedral chapter, against the transformation of his cathedral into a parish church, and against the annexation of several other parishes to it; all which operations, in the bishop's opinion, could only be effected by the ecclesiastical power, in accordance with canonical form. Voidel next enlarged on the intractable behaviour of the Chapters. One of them had affirmed that a chapter cannot be destroyed any more than an episcopal see; that the Council of Trent having invested the chapter with the government of the diocese during a vacancy, that privilege cannot be abrogated except by a legislative act of the Church abolishing her former discipline; and that inasmuch as the Constitution Civile had been referred by the king to the Pope, they designed, out of respect both to his Holiness and to their temporal sovereign, to await his decision upon a question so vitally affecting religion and the authority of the Church. Another chapter, that of St. Brieux, stigmatised the choice of bishops by popular election as subversive of the Divine constitution of the Church; complained that by the new arrangements the episcopal jurisdiction would in fact be destroyed, since the bishop could not act except in pursuance of the advice of his own presbyters; and rejected the whole scheme of the Assembly as the work of an incompetent authority. A similar spirit was exhibited by capitular bodies throughout the kingdom.

In his peroration, Voidel insultingly taunted the clergy with setting themselves in opposition to the national will in revenge for the loss of their temporal advantages. "Ministers of religion," he cried, "cease to shelter yourselves under vain pretexts! Confess your weakness! You regret your ancient opulence, you regret those marks of distinction, those prerogatives, that pretended pre-eminence, all those childish toys of vanity which formerly disgraced the House of the Lord. Learn that the Revolution has made us men;

that we will no longer prostitute our admiration before the idols of pride; that henceforth all citizens must bow down in homage before the majesty of the law. Compel us to treat you with respect by the power of virtue; you have now no other means left of securing that advantage. Forget your ancient errors; renounce your prejudices; think no more of the possessions you have lost! There is still time. Disarm by prompt submission the people who are irritated by your existence! The decree which I am about to present to the house is a measure rather of indulgence than of severity."

The purport of this "indulgent" specimen of legislation was as follows. The bishops, *ci-devant* archbishops, and parish priests whose sees and cures were preserved, if absent from whatever cause and under whatever pretext, were to return to their several dioceses within a fortnight if they were in France, within six weeks if abroad.

All ecclesiastics actually present in their dioceses were to take a solemn oath (if they had not yet taken it) within a week from the date of this decree, as ordered by the 21st and 38th articles of the Constitution Civile, to be faithful to the nation, to the law, and to the king, and to maintain to the utmost of their power the constitution decreed by the Assembly and accepted by the king. This oath was to be taken publicly in the church at the close of Mass, in the presence of the municipal officers, who were to attest the fact in due form. Those who failed to take the test within the prescribed term were to be deemed to have resigned their offices; and immediate measures were to be taken to replace them, as in the case of other resignations, according to the forms ordained by the new Constitution.

In case any of the ecclesiastics above mentioned should be unfaithful to their oath after taking it, either by refusing to obey the decrees of the National Assembly or by opposing or exciting others to oppose their execution, they were to be

prosecuted before the public tribunals as rebellious to the law, punished by the forfeiture of their stipends, and declared, moreover, to be deprived of civic rights, and incapable of any public function. Heavier penalties might be inflicted according to circumstances.

Ecclesiastics refusing to take the oath, as well as those whose sees and benefices were suppressed by the Constitution Civile, if they should "intrude themselves" into any of their former public functions, or into any which they had been accustomed to exercise as a corporate body, were to be prosecuted as disturbers of the public peace, and punished in like manner as above stated. The same penalties were denounced against all persons, whether clergy or laity, who might combine to refuse obedience to the decrees of the National Assembly, or excite others to oppose their execution.

It is to be observed that the "Constitution Civile du Clergé" is not mentioned in so many words in the form of oath prescribed by this decree. The reason was, doubtless, that its authors wished to make it appear that nothing was demanded beyond the oath already in force to the new *political* constitution.* In reality, however, it was meant to include the late legislation as to the status of the Church, with all the articles contested and condemned by the episcopate. This manœuvre involved the clergy in a dangerous dilemma. If they took the oath, they violated their obligations toward the Holy See, and renounced principles which had hitherto been deemed essential to the very framework

* That oath was originally taken, by members of the Assembly and other public officials, at the Fête of the Federation, July 14, 1790. It appears that in some localities it was also demanded on this occasion from the clergy, and that many of them complied without hesitation. The Superior and directors of the Seminary at Lyons, on the demand being made to them by the Municipality, consulted M. Emery, the much-respected Superior of St. Sulpice at Paris, who replied that he saw no objection to the oath. But at that time the Constitution Civile du Clergé, though voted by the Assembly, had not received the royal sanction, and was therefore not legally binding. The oath was taken purely and simply in the sense of adhesion to the reformed political *régime*.—See *Vie de M. Emery*, tom. i. pp. 229, 230.

of Catholicism. If they declined it, they exposed themselves to popular odium as enemies of the Revolution, as partisans of the *ancien régime* and of exploded despotism. Had it been simply a political test, or if it could have been taken with a reservation excluding all acknowledgment of the authority of the Assembly in regard to matters spiritual, it would in all probability have been generally accepted by the clergy. In that case schism would have been averted, and the subsequent course of the Revolution would have been far less stormy and disastrous. But this would not have suited the purposes of those who manufactured the Constitution Civile. They were determined, for reasons with which the reader is already acquainted, that the religious revolution should take root no less decisively than the secular; and to that end they artfully identified those innovations against which the clerical conscience was likely to rebel with provisions of a different character, which, had they stood alone, would have passed with little or no difficulty.

But the attempt to enforce schismatical changes under colour of reforms in the civil government was not the only nor the severest blow aimed against orthodox Catholics. Had the Assembly contented itself with declaring recusants incapable of holding office under the new establishment, securing to them in other respects the full enjoyment of civil and religious liberty, such a proceeding might have been justified to some extent under the circumstances. "Public functionaries" salaried by the State might not unfairly be required to accept a test of conformity to the entire system which the State had legally adopted. But those who on conscientious grounds were willing to forego the advantages of that position ought assuredly to have been left free to follow their own views of duty without incurring further disability or molestation. Thus much at least might have been expected from a legislature which had lately proclaimed in such grandiloquent terms the

principle of absolute liberty and boundless toleration. But instead of this, it was enacted that a nonjuring priest who might presume to exercise his calling should be prosecuted like a common malefactor, and visited with exemplary pains and penalties. This flagrant dereliction of the principles laid down in the "Declaration of the Rights of Man" consummated the breach between the Church and the Revolution, and sealed the fate of the Constitution Civile.

The debate which arose upon the motion of Voidel is perhaps the most memorable in the annals of the time. The bishop of Clermont spoke first, and in a few dignified and touching words declared that the clergy had no thought of contesting the decrees which had confiscated their temporal property; they were resigned to its loss; but they felt bound to protest at all hazards against the invasion of the spiritual rights and authority of the Church. "The organ of the Son of God is the Church; let her speak, and every one of us will respectfully listen to her voice. Nothing can prove more clearly how well we know our duties and the obligations of our character than our willingness to submit to every sacrifice rather than resist the dictates of our conscience. We abandon ourselves to the care of Divine Providence. We will exhibit constant fidelity to the nation, the law, and the king. We will preach obedience to legitimate authority, of which the authority of God is the most firm support; and we will offer prayers for the public happiness."

Mirabeau followed, in a discourse which in point of oratorical brilliancy must be classed among his finest efforts, but which excelled rather in passionate invective than in lucid reasoning or masterly criticism. He declaimed with special vigour against the recent manifesto entitled "Exposition des principes." This was in his view "a stratagem designed, under a mask of piety and good faith, to deceive the religion and mislead the judgment of the people; the work of an infernal cabal in the midst of the Assembly itself,

which was constantly meditating measures for the overthrow of the Constitution while affecting a pacific tone, and was setting in motion all the springs of disaffection and sedition, while pretending simply to plead the cause of God and to vindicate the rights of spiritual power." The National Assembly, according to Mirabeau, was the most powerful protector and the most generous benefactor of the Catholic religion and of the Church of France. "At the very moment," he exclaimed, "when you are identifying religion with the destinies of the nation, incorporating it with the existence of this great empire, and securing its perpetuity by devoting to it the most solid portion of the national resources—at the moment when, by planting the august sign of Christianity upon the threshold of every department throughout France, you are confessing in the face of the world and of all ages that God is no less necessary to the French people than liberty itself—at such a moment our bishops think proper to denounce you as violators of the rights of religion, to impute to you the character of the ancient persecutors of the Christian Church, and charge you in consequence with the crime of seeking to pollute the fountain-head of public order, and to extinguish the last hope of afflicted virtue!" He went on to upbraid the clergy for having permitted, without remonstrance or opposition, the infamous abuses of ecclesiastical patronage which had so long disgraced the Church, and for resisting the re-establishment of the primitive rule of election by the people. "They talk of intruders; but I take leave to say that the real intruders are the prelates uncanonically created after the fashion of days gone by; prelates who forced their way into the Lord's sheepfold through an entrance deeply profaned!"

Adverting to the objections raised against the new delimitation of dioceses, the orator appealed to the four Articles of 1682 to prove that the jurisdiction of bishops is necessarily universal, because derived immediately from God;

so that every bishop is, according to the Divine will and purpose, a pastor of the universal Church. But this was a field of argument with which Mirabeau had small acquaintance; he had not even troubled himself to master the theological distinction between the power of Order and the power of Jurisdiction or Mission. Accordingly this part of his harangue was demolished with great ease, and with unsparing sarcasm, by the Abbé Maury; who, quoting from memory the text of the Gallican Articles, showed that they contained nothing in the least degree resembling the doctrine ascribed to them.

The conclusion of Mirabeau's speech was a tissue of unmeasured menace against the non-conforming clergy. If the ecclesiastical mind, he said, should persist in opposing itself to the spirit of liberty, so that men should at length despair of its being converted to a loyal acquiescence in the new order of things, public indignation would no longer permit disaffected priests to direct the consciences of French citizens. In that case it would be necessary, as the only means of purging out from the nation the old leaven which still lingered in its system, to cancel the whole of the ecclesiastical appointments conferred under the *ancien régime*, and fill up the vacancies by free election, so as to enable the people to provide themselves with pastors worthy of their confidence.

Mirabeau proposed, before he sat down, an alternative measure to that of Voidel and the four committees, which latter he pronounced incomplete and requiring amendment.* It was drawn up in five articles, the purport of which was to deprive of his see any bishop who might have recourse to

* "Ma mesure est infiniment plus douce, et tellement que le plus réfractoire d'entre eux a son échappatoire. . . . Les deux armées sont en présence. Si l'on veut nous presser à une guerre religieuse, je dois m'y opposer. Si l'on ne le veut pas, entre eux tous ils ne trouveront pas une mesure aussi pacifique, négociatrice, et conciliante que la mienne."—Mirabeau au Comte de la Marck, Vendredi, 26 Novembre 1790. *Correspondance*, tom. ii. p. 361.

the Pope for canonical institution, or who might demand from Rome fresh powers in consequence of the late changes in the arrangement of dioceses. Ecclesiastics who in sermons, charges, or other public documents might disparage or impugn the laws or the Revolution, were to be guilty of treason against the nation, and prosecuted as such before the tribunals. The fourth article provided that the bishops should send a list of licensed confessors to the registry of each municipality, and that none should exercise that office without having first taken the civic oath before the authorities. The fifth suspended ordinations to the ministry until further instructions should be issued.*

It is not easy to understand Mirabeau's tactics in putting forward this counter-project. In one sense it was less vexatious, in another it was more so, than that of the committees; and its object being thus obscure, it has been suggested that its author was playing a double game, and that it was merely a manœuvre to embarrass and discredit the Assembly, with a view to procure its dissolution. Mirabeau, it is well known, was at this time in direct correspondence with the Court, and was in the receipt of a large pension for his services, real or pretended. In a letter preserved by M. Droz † he condemns in the strongest language the oath imposed by the Constitution Civile, and deplores the consequent schism among the clergy. Yet how are such sentiments to be reconciled with his publicly announced desire and purpose to "decatholicize France"? Whatever motives may have prompted him on this occasion, the Assembly rejected his proposals, and adhered to the original plan.

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* *Moniteur Universel*, tom. vi. p. 512.

† Droz, *Hist. de Louis XVI.*, tom. iii. p. 303. "Montmorin et Malouet ont assuré que Mirabeau, projetant la dissolution de l'Assemblée et son remplacement par des élections nouvelles, voulait la pousser à des actes qui la compromissent. Bertrand de Molleville n'avait aucun doute sur cette explication, et Lucas-Montigny la reconnait pour vraie. Ce qui est certain, c'est que Mirabeau donna ce motif de sa conduite à Montmorin et à Malouet, au Roi et à la Reine."

The Abbé Maury, in an address marked by his usual fiery eloquence, contended that it was necessary to await the Pope's reply to the questions submitted to him by the king, and proceeded to rebuke the Ecclesiastical Committee for having usurped not only legislative but executive authority in its communications with the departments. "Your Ecclesiastical Committee," he cried, "in which I do not see the name of a single bishop, and only those of a few priests known for the hatred they bear to the rest of their order, is exercising every day a prerogative which does not belong even to the Assembly itself. It is constantly exciting a most mischievous ferment in every part of the Empire, by corresponding without permission with the beneficed clergy, with ecclesiastical corporations, with the municipalities and the departments. It transmits injunctions which you yourselves have no right to issue. This Committee, by the organ of a head secretary, whom it pompously calls its President, has written in the following style to administrative bodies: 'Dare everything you please against the clergy; you will be supported.' It has taken upon itself to execute your decrees without your orders; it has suggested acts of persecution; it has caused cathedrals to be shut against the chapters, and has put a stop to their public functions. Let the Committee tell us by what right they have given such orders—orders by which august sanctuaries have been converted into a desert, so that people come to inspect with consternation the ravages which attest your terrible power, just as after a storm one goes to visit the ruinous remains of some abandoned habitation which has lately been struck by lightning." Here the speaker was called to order, on the ground that "abuse of the Ecclesiastical Committee was irrelevant to the order of the day." He persisted, however,* and broke forth into a

* "Vous demandez qu'on lui rappelle à l'ordre! Eh! à quel ordre me rappellerez-vous? Je ne m'écarte ni de la question, ni de la justice, ni de la décence, ni de la vérité. Les orateurs qui m'ont précédé à cette

glowing *éloge* of the bishops, to whom he said that all ranks of the clergy were eager to present by his mouth their testimony of admiration and respect. "Our praises of them will be echoed by the praises of posterity; and in thus speaking I am consulting the welfare of the nation; for, take good heed! it is not wise to make martyrs! Men conscientiously devoted to their sacred duties will show you that the sacrifice of temporal possessions, nay the sacrifice of life itself, costs them nothing in comparison with the discharge of those duties; that they are living not for the time present, but looking onward to another existence, where they will find possessions that cannot pass away, and a true life. The day will come when you will call those enemies of the country who are now oppressing without reason men who pray for you." (This sentiment called forth shouts of laughter.) "Yes, those are the real enemies of France who can wilfully torment a class of men who in yesterday's sitting gave proof of long-enduring patience under suffering, who are willing to render to Cæsar all that lawfully belongs to Cæsar, and who in perishing, if necessary, for their principles, will show the world that if they could not succeed in gaining your kind offices, they at least deserve your esteem!"

The veteran Camus followed, and favoured the house once more with a dissertation on the usurpations of the Papacy, interspersed with copious references to the discipline of the early Church in Africa, and the Councils of Constance and Basle. The Pope, he asserted categorically, had no right whatever to give orders to the bishops of France. He (Camus) had hoped at one moment that the bishops were about to announce a general act of resignation, according to the advice and example of St. Augustine, which they quoted

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tribune n'ont pas été rappelés à l'ordre quand ils ont insulté sans pudeur et sans ménagement nos supérieurs dans la hiérarchie. Je ne dois donc pas être rappelé à l'ordre quand je viens décerner au corps épiscopal une juste et solennelle réparation."—*Vie du Cardinal Maury*, p. 36.

in one of their protests; but since they had not done so, he could not regard them as worthy to retain possession of their sees. "Without losing ourselves in vague digressions and useless disputes, the whole matter may be summed up in one sentence; either annul altogether the liberties of the Gallican Church, or frankly acknowledge that the Pope has not, and cannot have, any direct authority in France." This closed the debate, and the decree proposed by the committees was adopted by the Assembly in the same sitting; the bishops and the greater part of the *côté droit* declining to vote. (November 27, 1790.)

It was still necessary, however, to obtain the consent of the Crown. Louis XVI., although he had already sanctioned the Constitution Civile as a whole, including the stern test of conformity which was one of its chief features, was even more painfully harassed at this moment by conscientious misgivings than when he made his first application to the Holy See six months before. In his distress he commissioned Archbishop Boisgelin to draw up a memorial setting forth the utmost limits of concession to which the Church might be induced to consent for the sake of avoiding schism and persecution.* The prelate complied, and produced a document in which the Pope was recommended to approve the new division of dioceses, to authorise the new metropolitans, to consecrate and confirm suffragans, and to permit the latter to institute parish priests elected by the people according to the Constitution, if found properly qualified. These were very much the same suggestions that had already been made to the Vatican through Cardinal de Bernis, and

* Bishop Grégoire states (*Essai historique sur les Lib. de l'Egl. Gallic.* p. 198) that among the papers found in the famous "iron chest" at the Tuileries was a letter from Archbishop Boisgelin to Louis XVI., requesting his permission to proceed to Rome, and undertaking to procure from his Holiness a positive approval of the Constitution Civile. An application of the same character was made to the Pope by the Abbé Jalabert, Superior of the Petit Séminaire at Toulouse (afterwards Superior of St. Sulpice at Paris), in a letter published by Theiner, *Doc. Inéd.* tom. i. p. 305.

which apparently were still under the consideration of a commission of Cardinals. Pope Pius, in a letter to Louis dated September 22, had intimated his own disinclination to grant such demands;* nor indeed could he possibly accept them until he had reason to believe that they would be approved by at least a majority of the French episcopate. The renewed appeal therefore remained fruitless. The king's anxiety became daily more intense, and he seized every pretext for postponing the fatal act of submission, from which he recoiled with heartfelt abhorrence. Meanwhile the Assembly became impatient to see its work complete. The Revolutionary leaders, far from regarding the response of the Roman oracle as indispensably important, longed to prove that the judgment of the spiritual power was of no account whatever, and that in legislating for the Church their own authority was all-sufficient. Instead of desiring, they rather deprecated, an accommodation with Rome; and accordingly they resolved to extort the consent of the sovereign without allowing further time for negotiation. On the 23rd of December the President was directed to repair to the Tuileries and inquire why the decree of November 27 had not yet received the royal sanction; and on the same evening the reply was reported to the house. "The decree of November 27," said Louis, "being only a sequel to that of July last, no doubt can exist as to my intentions; but I feel that it requires the utmost caution in its execution." He went on to say that, in his anxiety to see the Constitution established without trouble or commotion, he had taken further measures which were still in progress, and the result of which he expected from one moment to another. He begged the Assembly to treat him with the confidence which he deserved, and assured them that his first object was to see the Constitution of the realm settled on a secure and durable

* Theiner, *Doc. Inéd.* tom. i. p. 20.

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basis. This message was deemed evasive; and Camus, in a tone of bitter irritation, insisted that legislation should no longer be obstructed under the plea of waiting for the sanction of a foreign potentate. "The bishops," said he, "declare that they are waiting for a reply from one whom they call the Supreme Pontiff of the Church; as if any such pontiff existed except Jesus Christ, the founder of the Church." A member instantly rose and asked ironically to what religion M. Camus belonged. He took no notice of the interruption, but proceeded to threaten the clergy, in plain terms, that if they had not the good sense to accept a decree "which had no other object than the consolidation of the Catholic religion," it would be necessary to use force to compel them. After a boisterous debate, it was determined that the President should wait upon the king a second time, and demand a written reply signed by him, and countersigned by a Secretary of State. Louis, wearied out by the struggle, ended, as usual, by surrendering at discretion. Indeed further hesitation would have been not only useless but dangerous. No reply to his last appeal had arrived from Rome; and he was assured that every moment of delay exposed Paris to the risk of revolutionary tumult, the issue of which was only too certain. Marie Antoinette threw herself at her husband's feet, imploring him to withhold his consent; the same prayer was urged, with floods of tears, by his aunts and his sister the princess Elizabeth; but all was unavailing.* Louis, apathetic and immovable in his despair, signified on the 26th his submission to the will of the Assembly, and assigned as the cause of his delay his hope that time might allay prevailing irritation, and that the decree might in the end be executed with universal acquiescence. His secret feelings were revealed by a few words which fell from him the same day. "I had much rather be

* De Lescure, *Corresp. Secrète sur Louis XVI.*, tom. ii. p. 494.

king of Metz," said he, "than remain King of France under such circumstances; but all this will soon come to an end." It is clear that he now took his final resolution to escape from Paris.

Matters had reached a crisis. The ultra-democrats insisted that the law should be enforced to the very letter; and without further delay the clergy were subjected individually to the ordeal of the Constitutional oath. On the day after the royal sanction had been notified, Henri Grégoire, the future bishop of Blois, mounted the tribune of the Assembly, and declared that he and many of his brethren were ready to take the prescribed test. He prefaced the act by a short but ingeniously coloured speech, designed, as he said, to relieve the apprehensions of many estimable pastors whose patriotism was beyond all question, but who feared that the Constitution was incompatible with the true principles of Catholicism. "He and his friends were no less profoundly attached than they to the Catholic religion; they were devoted to its interests, and prepared to defend it, if necessary, at the sacrifice of life itself. But, after the most mature and serious examination, they were persuaded that there was nothing in the Constitution Civile at variance with the sacred truths which they were bound to believe and teach. It would be libelling the Assembly to charge it with a design to lay presumptuous hands upon the censer. It had never intended to interfere in the least degree with doctrine, with the hierarchy, or with the spiritual authority of the head of the Church. It acknowledged that these are matters altogether beyond its province. In the new circumscription of dioceses, it simply meant to give effect to such a political rearrangement as might be most advantageous to the faithful and to the State. The mere expression '*Civil* constitution of the clergy' was sufficient to explain the real purpose of the National Assembly." Grégoire was vehemently applauded, and his speech was ordered to be inserted in the

journals of the house. Sixty curés took the oath immediately afterwards, together with the ex-Carthusian Dom Gerles, and other priests who, having no cure of souls, were legally exempt from the obligation.

Bishop Talleyrand followed the example the next day; Gobel, bishop of Lydda, did the like on the 2nd of January, "under the conviction that the Assembly by no means wished to force the clergy to do anything contrary to the spiritual jurisdiction in points relating to the salvation of the faithful."

But the scene changed when the bishop of Clermont presented himself. That prelate had already offered to take the oath in a restricted shape, as an engagement to maintain the Constitution in a political sense, but without admitting the authority of the Assembly in matters spiritual. Now since the house had repeatedly disclaimed all purpose to infringe the spiritual domain, and protested that, as a matter of fact, it had never done so, the bishop had a right to presume that this construction would suffice. But he had no sooner alluded, in his opening sentences, to the Divine authority of the episcopate, and to the Deposit of faith which they had sworn to transmit to their successors in all its integrity, than he was interrupted by violent murmurs; and Treilhard demanded that he should not be allowed to make a speech, but summoned to declare whether or no he would take the oath *pur et simple*. The bishop again attempted to explain himself, and reminded the house of its own solemn declaration in favour of freedom of religious opinion. This increased the agitation. Treilhard's motion was put and carried; and the president then required the bishop either to accept or refuse the oath without further comment. "I will reply categorically," said the prelate, "as becomes my character. I declare then that I cannot in conscience——." Here he was cut short, and the house, amid loud outcries, passed abruptly to the order of the

day. It was announced that the delay granted to ecclesiastics, being "public functionaries," for taking their oath to the Constitution, would expire the next day at one o'clock.

Tuesday, the 4th of January, 1791, is a day never to be forgotten in the ecclesiastical chronicles of France. Grégoire opened the proceedings, and made a last effort to bring his recalcitrant brethren to submission. "Religion, my country, and peace, are dear to my heart; in their name I beg to be allowed a few words. Among the ecclesiastics who sit in this Assembly some have already taken the oath, while others refuse it; we are bound to believe that both sides act from honourable motives. All we need is to come to a mutual understanding; it is certain that the Assembly never designed to meddle with what is purely spiritual (applause). It is certain that everything purely spiritual is beyond its competence; the Assembly has formally proclaimed this principle, and has always commended those who profess it. This ought to remove disquietude. The Assembly does not pretend to judge men's consciences; it does not even demand an internal assent. (Murmurs.) I am far from wishing to justify mental reservation; I only mean that the Assembly regards the oath as pledging us to be faithful to the law, to obey it, and to procure obedience to it; that is all that it demands. A law may be formulated in terms which many citizens may disapprove; nevertheless they may engage to observe it, and to promote submission to it; I cannot think, therefore, that the test now imposed need be regarded as injurious to conscience."

There is no reason to impugn the personal honesty of Grégoire, who doubtless believed what he said. His suggestion was charitable, but it was regarded as equivocal, and had no effect.

Mirabeau followed, and argued that the Assembly did not compel any ecclesiastic to take the constitutional oath;

it merely declared those who refused it to be incapable of discharging certain public functions. "You have a right to say that no man shall perform such and such functions without first taking a particular oath; and he who declines to do so ceases at once, by the act of refusal, to be a public functionary. I make these remarks because I have seen upon the walls an unconstitutional and iniquitous placard, which stigmatises ecclesiastics who decline the oath as disturbers of the public peace.* The Assembly has never sanctioned, and never could sanction, any such statement. He who, having sworn to obey the law, wilfully fails to obey it, is undoubtedly criminal; he who refuses to swear, and yet persists in exercising his public functions, places himself in the same category; but he who honestly submits, and says I cannot take this oath, and I tender my resignation, is most certainly not an offender."

As matters then stood, this account of the effect of the constitutional oath was substantially correct. Yet before a year had passed, Mirabeau's version was painfully falsified; to refuse the oath was no longer a matter of indifference, but a crime of the deepest dye; and thousands of conscientious priests were visited for that cause alone with the severest penalties and sufferings. So impossible was it to forecast the ulterior course of this mistaken measure.

Mirabeau, before the debate closed, went so far as to assert that the Assembly, by its decree of the 27th of November, simply intended to insure the execution of the laws, *leaving intact and entire that freedom of opinion and conscientious conviction of which no man can ever be deprived.*

By this time the house was in a temper of uncontrollable impatience. Barnave (a Protestant) rose and moved that

* Bailly, mayor of Paris, hastened to make excuses for the *affiche* referred to, which he ascribed to a mistake of the clerk who copied the decree before publication. The reader must judge for himself how far, considering the tone of public feeling in the capital, this account is likely to have been correct.

the President should call over the names of those ecclesiastics who had not taken the oath, and that each should then be required to state his final intention affirmatively or negatively. This was carried in the midst of tumultuous agitation both within and without the Assembly; and the President, taking the alphabetical list of dioceses, proceeded to call on the bishop of Agen. That prelate asked leave to speak, but was met with cries from the Left, "No speech; do you take the oath? yes or no?" The uproar outside increased, and it was necessary to send Bailly the mayor to endeavour to soothe the angry populace; at length the bishop was heard to say, in broken accents, "I do not regret the loss of my preferment, or of my episcopal revenue; but I should be infinitely sorry to forfeit your esteem, which I wish to deserve. I beg you therefore to accept the expression of the pain I feel in being unable to take the oath you have decreed." A curé of his diocese, named Fournès, was next summoned. "I consider it a glory and an honour," said he, "to follow my bishop, as St. Laurence followed his pastor." A second curé, Leclerc, began by declaring himself a faithful son of the Catholic, Apostolic, Roman Church, but was hooted down before he could finish the sentence. The majority now saw that the method of the *appel nominal* was turning to their disadvantage; it was in consequence abandoned, and the rest of the clerical members were called upon collectively to come up to the tribune and take the oath. Only one individual obeyed; a few others offered to swear with the restriction specified by the bishop of Clermont; after which dead silence prevailed for a quarter of an hour. This was broken by Cazalès, who urged the Assembly, if it wished to be consistent, to declare in positive terms what had been so often proclaimed in its behalf—that it had never intended to meddle with things spiritual. "If such are indeed its principles, it is clear to demonstration that there is no reason why the oath in the form suggested by the

bishop of Clermont should not be adopted.* I beg to move, therefore, that the Assembly shall formally accept that prelate's proposition." It was most true that this suggestion, if frankly adopted, might have proved the means of successfully deciding the difficult question which agitated the house; but it was also manifest, from the manner in which the motion of Cazalès was dealt with, that the majority did not desire to see that difficulty amicably adjusted.

The imperious Mirabeau destroyed all chance of an accommodation by declaring, in a voice of thunder, not that the house never *intended* to interfere with things spiritual, but *that it never had done so*; and that the only difficulty was that the clergy regarded certain points as spiritual which the Assembly had ruled to be temporal. "If we are really desirous of peace," said he, "if this resistance is not made for a purpose too often exemplified in our annals—namely, that of enforcing the pretensions of Ultramontane authority—we ought to content ourselves with the declaration which has been made a thousand times, and which it is needless now to repeat, that the Assembly has made no encroachment on things spiritual." (Loud murmurs from the Right.) "I entreat those who interrupt me to take notice that *I* am not a candidate for a bishopric! It is evident that the fatal hour has come, and that the operation you have commenced is legal. In order to give it complete effect, I move that, after one further summons to take the oath, the second resolution of M. Barnave be adopted, so that the measures decreed by the National Assembly may be gradually executed."

The President then appealed for the last time to the "ecclesiastical public functionaries" to conform to the de-

* The following was the form propounded by the bishop: "Je jure d'être fidèle à la nation, à la loi, et au Roi, et de maintenir de tout mon pouvoir, en tant ce qui est de l'ordre politique, la constitution décrétée par l'Assemblée et acceptée par le Roi, exceptant formellement les objets qui dépendent essentiellement de l'autorité spirituelle."

mand of the House. Some minutes having elapsed, during which no one approached the tribune, the motion of Barnave was made and carried in the following terms: "The National Assembly charges its president to lay before the king extracts from the register of its proceedings since the 26th of December, and to request that he will give orders for the prompt and entire execution of the decree of the 27th of November last against those members of the Assembly, being ecclesiastical public functionaries, who have not taken the oath prescribed by the said decree, with the exception of those who by reason of illness or legitimate leave of absence may be prevented from attending the Assembly."

Such was the termination of this celebrated debate; in which it must be acknowledged that the recusant clergy gave a noble lesson of faithfulness to the obligations of conscience at the expense of worldly interest, and won an irrefragable title to the honours of confessorship. Mirabeau himself could not withhold the tribute of his admiration. "We have seized their property," said he, "but they have preserved their honour!"

One hundred clerical deputies took the oath—about a third of the whole number; twenty of these, however, retracted two days afterwards, and were followed in that step by many others. Only two of the bishops conformed, Talleyrand and Gobel; they were joined by three others who had no seats in the House, Lomenie de Brienne, archbishop of Sens, Jarente, bishop of Orleans, and Lafont de Savines, bishop of Viviers. One hundred and twenty-five prelates remained at the head of the great nonjuring majority of the Church of France.

The Assembly soon awoke to the unexpected fact that the new organisation was by no means likely to gain the confidence of the nation at large, and that the prestige of the rival communion was so great that the sternest measures would be necessary to make head against it. They had been

often warned, but to no purpose, that such would be the result of the unfortunate course in which they had embarked; and they found to their surprise that in order to launch the Constitutional establishment with any hope of success, they must begin by altering or suspending several of the late legislative enactments. Eighty sees were vacant by forced resignations, together with large numbers of parochial cures. How were all these places to be filled at such short notice? The Assembly discussed this question on the 7th of January. "In the event," said Mirabeau, "of a long interruption of the ordinances and ministrations of religion, it would be easy for the enemies of the Constitution and of liberty to point to this as the signal for a general attack upon the Revolution. Without examining in detail such a state of things in its political aspect, you must all feel the indispensable necessity of securing to a people of whom you are the liberators and the fathers, the full enjoyment of their faith, their worship, and their hopes. It would be too distressing to learn that in the midst of our cities Christians are seeking in vain for their bishop, their guide, their pastor; or that in rural districts the simple-minded peasant is compelled to breathe his last sigh without the consolations and benedictions of a religion to which he is so faithfully attached." He pointed out that in the present emergency it was impossible to observe strictly the regulations of the new system as to the length of previous service required of candidates for bishoprics and parochial cures; and proposed that at least during the year 1791 every priest of five years' standing should be eligible to an episcopal see or other preferment, and that any priest of the same standing might be chosen by an incumbent as his curate. This was carried immediately; and it was further ordered that the Ecclesiastical Committee should draw up the draft of an address on the Constitution Civile du Clergé, to be sent to the depart-

mental Directories, with orders to publish it throughout their districts.*

This latter resolution was at once executed. The House named a committee for that purpose, consisting, somewhat significantly, of two Jansenists and two Protestants, Fréteau and Camus, Barnave and Rabaud St. Etienne. They soon discovered that their labours had been anticipated by the versatile Mirabeau: they examined and adopted his composition; and he read it to the Assembly on the 13th of January.† It was a performance of considerable pretension, not unworthy, in point of style and ability, of the reputation of its author; but it added nothing whatever to the arguments which had been urged with every possible variety of expression by the friends of the Constitution ever since it was first brought before the House. Mirabeau contended that changes in the demarcation of dioceses, and other regulations of external discipline, were not of a spiritual but of a secular nature, and therefore fully within the province of the national legislature. "When once a religion has been accepted, sanctioned, and established by the State, the State thereby acquires the right to determine all the details of its civil organisation, the extent of its privileges, the conditions of its public worship, and, in a word, everything except its essential doctrines—the truths and principles belonging to its Divine origin." This reasoning was based upon a fallacy which is not peculiar to Mirabeau or to the school of his contemporary followers, namely, the notion that the civil power, by adopting and establishing Christianity, confers a favour or benefit on the Church; whereas the truth is rather the converse—the advantage obtained by that arrangement is largely on the side of the State. This

* Prudhomme, *Révolutions de Paris*, No. 79.

† The real author of this document was Lamourette, afterwards constitutional bishop of Lyons.

was pre-eminently the case as to the relations between Church and State in France. The Catholic Church was anterior to the existing form of French society; indeed, it is a well-known fact that the Frankish monarchy, with its attendant institutions, was the creation of the ecclesiastical hierarchy of the fifth and sixth centuries. Now it is manifest that the Church, by this transaction, did not forfeit her original independence, her intrinsic right to legislate for her own interests and purposes, and to control every department of her divinely ordained ministry. Nor is it to be supposed that, on entering into alliance with the State, she surrendered to the latter the faculty of defining what are the objects and functions which compose the field of pastoral supervision committed to her by her Founder.

The second part of Mirabeau's address related to the election of bishops and pastors by the suffrage of the people. Having nothing to advance upon this head beyond the appeal to primitive antiquity, which had been a thousand times repeated and refuted, he plunged into a strain of fierce vituperation of the clergy, surpassing on this occasion even the most outrageous of his previous harangues. Such were the lengths into which he was hurried by the tide of angry declamation, that even the arch-Jansenist Camus, the prime mover of the Constitution Civile, could not repress his feelings of disgust. "This is intolerable," he exclaimed; "I cannot sit and listen calmly to such abominable imputations. I demand that the sitting be closed, and the address referred back to the Committee for correction."* This incident electrified the House. It was a novel spectacle to see Mirabeau denounced and threatened by one of the heads of his own party, particularly in a matter in which it was so important that they should act in cordial concert. But there could be no comparison between the two men as to

* See Beaulieu, *Essais historiques sur la Révolution*, tom. ii. p. 442.

theological knowledge; and the Assembly, perfectly conscious of that fact, assented without hesitation to the motion of the Jansenist leader. The address was returned to the Committee; and a week later Chasset presented, in a new and improved form, the "Instruction de l'Assemblée Nationale sur la Constitution Civile." In tone and temper it was far superior to the production of Mirabeau, but in substance the same fallacies are maintained, the same errors perpetuated. In particular, the same contradiction is exhibited as to the great principle of religious liberty; while extolled to the skies in theory, it was ignored and contravened in practice. Conciliating language is used as to the authority of the Church and the Apostolic See. "The representatives of the French people, deeply attached to the religion of their fathers and to the Catholic Church, of which the Pope is the head upon earth, have placed in the first rank of State expenses those belonging to its ministers and its worship. They have respected its dogmas; they have secured the perpetuity of its teaching. Convinced that the Catholic faith and doctrine have their foundation in an authority superior to that of man, they knew that it was not in their power to interfere with it, nor to infringe that purely spiritual authority. They knew that God Himself had established it, that He has entrusted it to the priesthood for the guidance of souls, for furnishing mankind with the support and consolations of religion, for carrying on the succession of His ministers, for the enlightenment and direction of conscience. To these truths the Assembly had at all times rendered solemn homage. But in a Constitution based upon equality, justice, and the general good, it was a matter of unavoidable necessity to make certain changes;—to suppress a multitude of establishments which had become useless, to restore the free election of pastors, and to require that all acts of ecclesiastical administration should be the result of joint consultation, so as to guarantee in the eyes of the

people the wisdom of those measures to which their obedience will be claimed."

"The demarcation of dioceses is the work of man. There cannot be anything spiritual in the mere distribution of territory. To assert that the Assembly has invaded the rights of the Church, that it has assumed an authority which does not and cannot belong to it, would be a shameless calumny. The Assembly declares that it never has done so, has never desired to do so, and is incapable of doing so, inasmuch as the objects to which that authority relates are absolutely extraneous to the sphere of the civil power."

The "Instruction" next proceeds to justify the oath demanded of the clergy. That oath was "not designed to restrict freedom of opinion or to impugn the rights of conscience; it was simply a solemn declaration on the part of ecclesiastical functionaries (identical with that made by lay officials) that they will execute and maintain the law. It was evident that those persons who might decline the oath could not be permitted to continue the exercise of public functions; for it would be a contradiction in terms to be a functionary of the State, and withal to refuse to obey the laws of the State. The refusal of the oath was merely a notification that the recusant was incapable henceforth of speaking in the name of the law, inasmuch as he will not undertake to observe the law."

"The Assembly, foreseeing with regret that certain ecclesiastics would refuse to conform, felt bound to announce beforehand the measures which would be taken to replace them. When once they had been superseded, it followed of necessity that those persons must be treated as disturbers of the public peace who, setting up altar against altar, might refuse to resign their functions to their lawful successors. It is this latter species of resistance that the law qualifies as criminal."

Nothing could be more manifestly destructive of religious

liberty than this last regulation. Those of the clergy whose conscience forbade them to minister in the "Constitutional" Church were to be prevented from ministering at all; and not only so, but if they should attempt to officiate publicly they were to be subjected to a system of undefined pains and penalties, which in the sequel amounted to a deprivation of personal liberty, expatriation, and the loss of all means of independent subsistence.

Thus the so-called "reign of liberty" was inaugurated by a deliberate decree of persecution, such as would have been natural and characteristic had it come from Louis XIV., the Jesuit Le Tellier, or the Holy Office at Rome. The Assembly, however, shut its eyes to this barefaced self-contradiction.

The "Instruction" concludes with an exhortation to the clergy to sacrifice selfish ideas and private prejudices for the general welfare. "So long as the Faith is not endangered, everything is permissible for the good of mankind, everything is sanctified by charity. No article of the Catholic faith has been attacked; resistance, therefore, would be without an object. May you never be reproached with having caused the ruin of religion in France! May you never give us the pain of seeing you deprived of your functions by a law which the enemies of the Revolution have rendered necessary! It is imperative that that law should be promptly executed; and the Assembly will be inflexible in carrying out the requisite proceedings for that purpose."*

This singular pastoral was adopted by the House at the same sitting, and ordered to be read in all churches on the following Sunday, immediately after the parochial mass.

No further room remained for the hope which was still cherished by some few sanguine Catholics, that at the last moment the Revolutionists would shrink from carrying matters

* *Choix de Rapports*, &c., tom. iii. p. 46.

to extremity against the opponents of the new Constitution. Barnave had already demanded that the nonconforming bishops should be at once superseded, and their successors installed throughout the kingdom; * and on the 26th of January Chasset moved a formal resolution to that effect, with an additional clause to relieve the "Constitutional" bishops from the necessity (hitherto indispensable) of obtaining canonical institution. "The bishops who have been elected up to this time, and those who may be chosen in the course of the year 1791, shall not be bound to apply for canonical institution to the metropolitan, nor to any bishops who may not have taken the oath prescribed in the decree of November 27. In case there be no bishop in the *arrondissement* who has taken the oath, they shall apply to the Directory of the department, who shall refer them to some one of the bishops of France who has taken the oath, who shall proceed to confer the canonical institution, without being bound to ask the permission of the bishop of the department."† The much-vaunted principle of reverting to the discipline of primitive ages was thus violated by the Revolutionary Church at the very outset of its career. How often and how strenuously had it been argued by Camus and other spokesmen of the Ecclesiastical Committee, that the right of confirming and instituting bishops belonged, according to all the legislation of antiquity, to the metropolitan of the province, and to him alone! But the Assembly had never contemplated the contingency that the metropolitans might decline to officiate in favour of adherents of the Constitution Civile; and now that this difficulty confronted them, they were forced to resort to a device which flatly contradicted their own doctrine, and the object of which was so transparent that few or none could be misled by it.

Cazalès resisted the motion of Chasset in a vigorous

* *Moniteur, Séance du Mardi*, 25 *Janvier* 1791.

† Prudhomme, *Révolutions de Paris*, No. 82, p. 194.

speech, and solemnly forewarned the Assembly of the catastrophe which was impending. "I tell you that a schism is at hand. All the bishops of France, and a vast number of inferior pastors, believe that the principles of religion forbid them to obey your decrees; and this persuasion has been strengthened by conflict and antagonism. Even when you have expelled the bishops from their sees and the priests from their parsonages in order to vanquish their resistance, you will find that it is not conquered. Do you suppose that the expelled prelates will not excommunicate those who may be put in their place? Do you suppose that a certain portion of the faithful will not remain attached to their former pastors? Schism will thus be constituted, and religious war will commence. The people will begin to have doubts about the validity of the sacraments. The victims of the Revolution will be multiplied; the kingdom will be divided. You will see the Catholics wandering over the face of the country in pursuit of their persecuted ministers, to obtain from them valid sacraments, distributed in caverns or in the desert. The Catholics throughout the land will be reduced to the state of misery and terror in which the Protestants were plunged by the revocation of the Edict of Nantes,—that act by which justice was outraged, and over which humanity still groans. Up to this time it is a passive resistance on the part of the faithful clergy; but if factious persons, under the mask of religion, were to foment insurrection, to scatter the firebrands of fanaticism, and to agitate with all the energy which religious combinations always create—who would not in that case condemn the short-sighted legislators who caused such evils, merely because their selfish pride would not permit them to rescind one of their decrees? Even if it could be proved that the Church of France is mistaken, ought you to hesitate to withdraw a decree which the Church condemns, and the execution of which must needs produce so many and great misfortunes?"

He implored them, if they had any love for peace, to take further time for consideration; to request the king to proceed in accordance with the canons of the Church; and to notify publicly that the Assembly, out of regard for the best interests of the nation, had determined to retract its decree.

But the time for such exhortations was past. The breach of unity was already complete. Ever since the fatal 4th of January the schism was no longer an event in prospect, but was substantially an accomplished fact. The clerical deputies were separated into two opposite categories, the "assermentés" and the "insermentés"—jurors and non-jurors, conformists and nonconformists, the adherents of the State Establishment created by the Constitution Civile and those of the old historical Gallican Church in unaltered union with the Roman See. And the same process of ecclesiastical division was spreading rapidly thoughout France.

Sunday, the 9th of January, was the day fixed by the municipal authorities of Paris for receiving the oath of the clergy of the metropolis. On that day Bailly repaired in state to Notre Dame, where he was met by a numerous assemblage of dignitaries and officials of various ranks belonging to the diocese. The oath was first tendered to the six Vicars-General, who refused in a body. The superiors and professors of theological Seminaries, of the Sorbonne, and of the Collège Royal, were next summoned; with only two exceptions from the Seminary of St. Magloire, they rejected the oath. A scene of disgraceful violence took place at St. Sulpice. The celebrated Congregation attached to that church included many of the *élite* of the Parisian clergy; and the revolutionary agents had made extraordinary efforts to procure their adhesion, which would have carried extensive influence with their brethren. But the members of that community, forty-six in number, declined the oath without a dissentient voice. The mob, infuriated by this repulse, burst violently into the church, where the curé, M. de Pancemont, was just

descending from the pulpit after the customary *prône*. They assailed him with wild shouts of "Le serment, le serment, ou la lanterne!" Upon this he calmly returned to the pulpit, and stated that it was not in his power to accept the oath; "his conscience forbade him to do so." The uproar was now redoubled, and a crowd of ruffians rushed towards the curé, whose life would inevitably have been sacrificed but for the firmness and devotion displayed by the priests of the community. With the help of a few National Guards and faithful parishioners they conveyed him to the sacristy, but not till he had received more than one savage blow on the head, which left him for a long time senseless. Subsequently he was visited by Bailly, who expressed his deep regret at what had passed, and assured him that it was not the fault of the magistrates; "for if you and your coadjutors had only been willing to obey the law, everything would have passed with the utmost tranquillity!" "I could not do so," returned Pancemont, "without a violation of conscience and honour." "Sir," rejoined Bailly, "when the law speaks, conscience ought to hold its peace."

The mayor strove to prevail upon some of the assistant clergy to reconsider their determination, but without effect. A sacristan and a few other inferior ecclesiastics not belonging to the society were induced, by the promise of promotion, to go through the required form; and the next day the public journals mendaciously announced that a considerable number of the clergy of St. Sulpice had complied with the law.*

In other parishes the clergy exhibited equal firmness. At St. Roch there was a community of priests like that attached to St. Sulpice; and the curé, M. Marduel, had been urgently canvassed in private by Bailly, who found that argument and entreaties were alike fruitless. "Is it really

* *Vie de M. Emery*, tom. i. p. 245 *et seq.*

true, then," asked the mayor in conclusion, "that the decrees relating to the Constitution Civile are contrary to the Catholic religion?" The curé replied that undoubtedly they were so. "Well, in that case," said Bailly, "if it depended upon me, to-morrow the Catholic religion should no longer exist in France!" On the following Sunday M. Marduel appeared in the pulpit and declared himself unable to take the oath. At first he was listened to in silence, but when he uttered the sentiment that "the bishops are the only judges of the faith," his voice was drowned in loud outcries of "No more bishops! Down with them! The oath, the oath!" Out of the forty-two priests of the community, thirty-six courageously adhered to the example of the curé. Among the remaining six, who conformed, was the Abbé Fauchet, afterwards so notorious as constitutional bishop of Calvados.

In the parishes of St. Jean en Grève, St. Nicolas du Chardonnet, and St. Hippolyte, the clergy with one accord repudiated the oath. But the proportion of those who accepted it was by no means inconsiderable on the whole. Out of the fifty-two curés of Paris, twenty-nine refused, twenty-three obeyed. The curé of St. Eustache, M. Poupart, a man of conspicuous merit, was won over by the personal solicitations and blandishments of Mirabeau, and took the oath, together with thirty-six priests connected with the parish. At St. Etienne du Mont, the whole clerical staff—curé, vicaires, and occasional assistants—submitted to the demand of the law, with one single exception. This church was well known for its traditional sympathy with Jansenistic views.

At the Sorbonne a remarkable demonstration was made. The professors drew up a strongly worded statement, condemning the Constitution as "heretical, schismatical, and manifestly adverse to the spirit of Christianity." "And we are asked to swear in face of the altar," said they, "to

maintain this Constitution! Far be it from us to take such an oath, which would be nothing less in our eyes than a fearful act of perjury, and even of apostasy! We should find in the records of this Society, and even in our own lectures, a decisive sentence of condemnation." This document was forwarded to the archbishop of Paris, with an assurance that the Sorbonne would never recognise any one except himself for its lawful diocesan. The Theological Faculty numbered eighteen hundred doctors: less than thirty of them pronounced the civic oath. Such an example on the part of one of the most illustrious and venerated corporations not only of France, but of Christendom, was not likely to pass unresented. The municipality instantly suspended the lectures at the Sorbonne, and prohibited its customary meetings. Not long afterwards its revenues were confiscated, and it was finally suppressed.

It appears from the official returns, that out of six hundred and seventy priests of different classes ministering in the city of Paris, four hundred and thirty rejected the oath, while two hundred and thirty-six were persuaded to accept it. This large proportion of non-jurors in the metropolitan diocese is a fact of great significance, when we consider that, on the one hand, the clergy were plied with all the arts of cajolery addressed to their natural feelings of self-interest, while on the other hand they were exposed to a system of intimidation the effects of which became more and more formidable with each day's experience. It must be recollected, in addition, that no authoritative condemnation of the oath had as yet been promulgated by the Holy See.

With regard to the provincial districts, there is some difficulty in ascertaining the precise numbers representing the two sides of the divided Church. In the south and south-west of France, however, the non-jurors are known to have been in an immense majority. A periodical publication

of the time, quoted by the Abbé Jager,* states that in the departments of the Var, Bouches du Rhône, Aude, and Ariége, seven-eighths at least of the clergy either refused or retracted the oath. At Toulouse it was declined by the archbishop, Mgr. de Fontanges, together with his two vicars-general, the whole of the cathedral chapter, the collegiate chapter of St. Sernin, the eight curés of the city with all their vicaires, the superiors of the four Seminaries, and all the theological professors except one, who afterwards became constitutional bishop of the Gers.† Some few priests, unattached to any parish, were induced to conform; and it seems that the paltry device was resorted to of dressing up in clerical costume certain clerks and shopmen, whom the magistrates were too glad to parade publicly as examples of ecclesiastical respect for the law. In the diocese, scarcely any of the curés, and only twelve out of four hundred vicaires, submitted to the Constitution. The Directory of the department found it necessary to write to the Ecclesiastical Committee at Paris, complaining that the "refractory" clergy had resolved, notwithstanding the appointment of a constitutional bishop, to fix their abode in the parishes where they had hitherto ministered, "for the obvious purpose of encouraging and confirming in their errors those whom they had succeeded in leading astray." They besought the National Assembly to point out the means to be adopted for defeating their pernicious scheme. In their opinion the only way to do so would be *to remove for a certain time refractory curés from their respective parishes.* But the administrative bodies, "fettered by the laws which protected the liberty of citizens," could not take such a step unless authorised by an express decree of the Assembly. This ill-advised suggestion, now made for the first time, was put in force at a later period, when the state of affairs had become

* Jager, *Hist. de l'Egl. Catholique en France*, tom. xix. p. 298.
† Picot, *Mémoires*, tom. vi. p. 72.

more perplexing; but, while it inflicted cruel sufferings on the nonconformists, it had no effect whatever in mitigating the evils arising from the schismatic Constitution.

The obnoxious oath was steadily resisted in Alsace and Lorraine. At Nancy the entire staff of clergy refused it, and at Metz only seven conformed. At Strasburg only two out of forty took the oath. In the department of the Haut-Rhin ninety-three refused and thirty submitted; but among the latter many retracted afterwards. Strasburg became the scene of serious popular disturbances. The citizens, Lutherans as well as Catholics, met in a state of violent excitement, and demanded the execution of the treaty of Westphalia, which guaranteed the enjoyment of religious liberty; petitioning the Assembly, at the same time, to revoke its late ecclesiastical decrees. Some of the local magistrates showed a disposition to support these claims; whereupon commissioners were sent down in all haste from Paris to investigate the facts, and appease, if possible, an effervescence so threatening to the public peace. By their energetic interference order was at length restored; but a severe example was deemed necessary, and accordingly they suspended from office the magistrates who had shrunk from imposing the Constitution by force upon an offended and incensed population. Upon the clergy, however, the action of the revolutionary envoys made no impression. The bishop of Strasburg was no other than Cardinal de Rohan, who had figured so grotesquely, not to say so scandalously, in the "Affaire du Collier." From his antecedents he might have been expected to support the new Constitution, under which he would have preserved his station and at least a portion of his revenues; but, on the contrary, he withstood it with singular vigour, and published a pastoral letter against it which had no small influence on the course of events in that part of France. Orders were issued to supersede him, and proceed to the election of two constitutional bishops. A

divinity professor named Brendal was chosen for the Bas-Rhin; but the great majority of the clergy refused to recognise him; the Cardinal denounced him as a schismatic, laid an interdict upon the cathedral, with the exception of one chapel in which mass was said by the orthodox curé, and warned the faithful that the Holy Eucharist could not be rightly partaken of except at the hands of priests who had refused the civic oath. Acts of violence occurred between the two parties in the cathedral; and at length the Cardinal, the curé, and their principal supporters were indicted for high treason before the court sitting at Orleans. Upon this Cardinal de Rohan withdrew to a place of security beyond the Rhine.

The resistance to the Constitution was of much the same character in other dioceses. At Le Mans the firmness of the clergy was due chiefly to the personal influence of their bishop, Mgr. Jouffroy-Goussans, a man of high distinction both for intellect and moral worth. The spirit of Jansenism and ultra-Gallicanism seems to have been widely prevalent in that diocese, and in some instances the clergy had been led astray by the sceptical philosophism of the day; but in proportion as the real aims of the Revolution were more clearly developed, they rallied round their diocesan with unflinching zeal; and among the three hundred priests ministering in Le Mans it appears that no more than thirteen submitted to the demands of the Assembly. The bishop, on being informed that his successor was about to be appointed, wrote a letter to the electors of the department, exhorting them, in vigorous terms and by a variety of arguments, to refrain from committing themselves to an overt act of schism. This letter was denounced to the Assembly by one of the members, an apothecary of Le Mans, who was about to read it from the tribune, when suddenly the bishop rose in his place and, addressing the speaker by his name, said, "There is no need to trouble the House about the letter you hold in your hand;

I am the author of it. I am the lawful pastor of my flock. I have, and shall always have, the right to instruct that flock, whatever may be said to the contrary by all the apothecaries in France." This retort raised general laughter in the bishop's favour; the apothecary was silenced, and nothing more was heard of the pastoral letter which had caused his interference.* It was not long, however, before the intrepid bishop of Le Mans found himself ejected from his diocese and compelled to retire into exile. He sojourned for a time in Germany, and afterwards proceeded to England; but his health rapidly gave way, and he died in London in 1796.

No time was now lost in proceeding with the election and installation of the constitutional episcopate. Jean Baptiste Gobel, bishop of Lydda *in partibus*, who had shown himself throughout an ardent partisan of the Revolution, was chosen simultaneously in three dioceses—those of the Haut-Rhin, the Haute-Marne, and the metropolitan department of the Seine. He naturally made his option for the wealthier and more important see; but before taking possession, it was necessary that he should obtain canonical institution. According to the recent legislation, this was to be sought from the metropolitan, or the senior bishop of the province. Being himself metropolitan, Gobel seems to have thought he should sufficiently fulfil the law by applying to Cardinal Lomenie de Brienne, archbishop of Sens, one of the five prelates who had sworn fealty to the Constitution. The Cardinal, however, declined his request. Upon this he resorted to another of the conforming bishops, Jarente of Orleans; but the result was again disappointing. Thus twice repulsed, Gobel presented his claim by appeal *comme d'abus* before the magistrates of the district. They referred him to Talleyrand; who, as might have been expected, agreed

* Dom Piolin, *L'Eglise du Mans durant la Révolution*, tom. i.

without hesitation to perform the office. By his agency Bishop Gobel at length received the semblance, not the reality, of canonical institution; for Talleyrand possessed no sort of authority to act in the capacity of metropolitan, beyond what he derived from the decree of the National Assembly; and this, ecclesiastically speaking, was of course without validity. The new bishop of Paris was enthroned at Notre Dame, amid salvos of artillery and an imposing parade of civil and military authorities, on the 27th of March, 1791.*

A few weeks previously he had given a signal proof of his devotedness to revolutionary principles, by taking part in the first consecration of bishops according to the schismatic forms. On the 24th of February, Talleyrand, assisted by Gobel, and by Miroudot, another bishop *in partibus*, consecrated the curés Expilly and Marolles to the sees of Finistère (Quimper) and the Aisne (Soissons), in the church of the Oratoire at Paris. The ceremonial prescribed in the Pontificale Romanum was followed in the main on this occasion, but some of the customary formalities were omitted, including the oath of obedience to the Pope. No attention was paid to the protest of the chapter of Quimper, administering that diocese *sede vacante*, nor to that of M. de Bourdeilles, the legitimate bishop of Soissons.

Talleyrand now resigned the bishopric of Autun, and

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* "Jeudi dernier s'est faite l'installation de l'évêque constitutionnel de Paris. Ce cérémonial, qui, ce semble, n'auroit dû être que religieux, étoit presque tout militaire. Un nombreux détachement de la garde nationale, beaucoup de tambours, beaucoup de musiciens de l'armée Parisienne, formoient la plus grande partie du cortége de notre nouveau pasteur, qui n'étoit accompagné que de très peu d'ecclésiastiques."—Prudhomme, *Révolutions de Paris*, No. 88, p. 487. It seems that the Abbé Sieyès was named by some of the electors as a candidate for the see of Paris, and that he wrote a letter to the *Moniteur* implying that, if elected, he would not accept the appointment. Prudhomme informs us, however, that the "Club électoral" was not altogether satisfied with the opinions and antecedents of Sieyès, and that in consequence he was never put in nomination. With regard to his disclaimer in the *Moniteur*, "on seroit fondé," observes the journalist, "à assimiler ce langage à celui du renard de La Fontaine."

abandoned the ecclesiastical for the secular life. Gobel, in consequence, undertook the chief part in completing the organisation of the Constitutional Church. One of the first who received the imposition of his hands was Henri Grégoire, who had been elected in the two dioceses of the Sarthe and the Loir et Cher. He preferred the latter, and immediately after his consecration took up his residence at Blois, where he devoted himself with characteristic energy to the duties of the pastoral care. Grégoire was, beyond comparison, the most distinguished member of the episcopate in respect of general ability and learning, and more especially as to depth and consistency of religious principles; but there were others whose names deserve to be honourably recorded. Such were Claude Lecoz, bishop of Ille et Vilaine (Rennes), François Xavier Moïse, bishop of the Jura, Pierre Saurine, bishop of the Landes, Louis Charrier de la Roche, metropolitan of Rouen, and François Séguin, metropolitan of the Doubs (Besançon). The unfortunate Adrien Lamourette must be described, in spite of his faults, as a man possessed of brilliant gifts and considerable stores of professional knowledge. Mirabeau is known to have availed himself habitually of his assistance in the preparation of his grand orations on ecclesiastical topics. Through the influence of that all-powerful patron, Lamourette was advanced to the metropolitical bishopric of Lyons; but when the current of the Revolution began to turn towards open terrorism, he nobly declared himself on the side of humane counsels, and at once incurred the enmity of the bloodthirsty faction whose will was supreme in France. Lamourette perished eventually by the guillotine. The closing circumstances of his life, which are of no small interest, will be related in the proper place.*

* Lamourette's character is painted in forbidding, and probably exaggerated, colours by the Abbé Barruel. "Un hypocrite, qui vouloit à la fois tromper le ciel, l'enfer, et les Jacobins, étoit Lamourette. Deux fois chassé de St.-Lazare, il s'étoit fait le théologien, et l'homme aux secrets

By the end of May all the new bishops had been appointed, and recognised by the civil authorities. But it was found extremely difficult to procure a sufficient supply of parish priests. The law directed that the non-jurors should continue to officiate until their successors were ready to replace them; but in many districts candidates willing and qualified to officiate were not forthcoming; and this produced continual perplexity and conflict. Orthodox curés refused to obey the constitutional bishop; while the latter could not resent their insubordination by reason of the dearth of applicants to supersede them. In one parish a revolutionary town-council denounced a non-juring incumbent, and stirred up against him all the reckless passions of the multitude; in another the Catholics rose in masses to defend their parish priest from the malice and violence of the Government officials. The elections were for the most part anomalous and disorderly. It was impossible to exercise anything like due discrimination; those who offered themselves were accepted without question, and the result was that the vacancies were filled by a motley crew consisting of monks who had broken their vows and quitted their convents, of ex-professors and unsuccessful, inefficient schoolmasters, of needy adventurers, little troubled by considerations of principle or conscience provided they could secure the means of subsistence, and of priests who for various causes had incurred ecclesiastical censure. Prudhomme, the new bishop of Le Mans, was reduced to such straits in order to complete his list of clergy, that he gladly welcomed a troop of young theological students who had been dismissed from other dioceses for misconduct, and after a residence of a fortnight in his seminary admitted them to holy Orders. It is not surprising to find that their subsequent career proved anything but satisfactory.*

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honteux, de Mirabeau. Il se parjura aussi; Mirabeau lui donna de l'argent, et le fit métropolitain intrus de Lyon."

Hist. du Clergé, 1ère partie, p. 50.

* Dom Piolin, *Hist. de l'Eglise du Mans*, tom. i. p. 198.

The Constitutional Church made but slow and partial progress in the country at large. The utmost efforts of the Assembly at Paris, seconded by the zeal, arguments, and threats of provincial functionaries, failed to induce the mass of the population to frequent the services of the intrusive clergy. The inhabitants of remote localities, not sufficiently intelligent to perceive the real character of the recent innovations, supported the conforming curés, especially where they regarded them with personal esteem; but by degrees, and at no distant interval, their eyes were opened to the truth. Great numbers of parish priests, and those the most respectable of their class, retracted the oath which they had taken hastily and under mistaken impressions; they publicly explained to their flocks their reasons for this step; they were in consequence ejected from their cures, and the people ceased in most instances to attend the ministrations of their successors. In the course of a few months the Constitutionalists found themselves more or less discredited in the rural districts, especially in Brittany, La Vendée, Alsace, and most of the southern departments. In their resentment they began to declaim against the orthodox priesthood, whom they reviled as conspirators, traitors, aristocrats, and rebels against the law. The nonjurors indulged in natural recrimination, and warned their congregations that the intruders possessed no authority, that their communion was schismatical, their ordinances sacrilegious. The antagonism thus excited could not be long confined to verbal taunts and insulting epithets. It soon broke out into open violence; early in April tumultuous assaults were made upon the houses of the Filles de la Charité, at Paris, to whose chapels many Catholics resorted for Divine worship under the ministry of nonconforming clergy. The rioters burst open the doors, fell mercilessly upon the helpless nuns, scourged them with outrageous cruelty, and drove them half mad with pain and terror into the streets. These excesses

continued for several hours. The authorities failed to interfere, and the criminals remained unpunished. Scenes of similar brutality occurred at La Rochelle, at Le Mans, and at Lyons.* Several females lost their lives from the injuries, physical and moral, inflicted by this barbarous treatment.

A very short experience sufficed to show that the new Establishment could not be maintained consistently with any respect for the rights of conscience and for the principle of civil and religious liberty—professedly the corner-stone of the Revolution. The authors of the Constitution Civile had widely miscalculated. They imagined that the vast majority of the nation would indorse their work with eager gratitude; it was a signal disappointment to find that, on the contrary, intelligent and conscientious Catholics of all ranks adhered firmly to the nonconformist clergy. Louis XVI., although he had given his sanction, under virtual constraint, to the late legislation, had the deepest repugnance to any religious act which he knew to be displeasing to the Holy See. His private chaplains at the Tuileries were *insermentés*, and he carefully abstained from attending any services performed by Constitutionals. On the approach of Easter 1791, his mind became uneasy at the thought of the scandal he had caused by assenting to the late schismatical proceedings; and he doubted whether, without previous penitence and reparation, he was justified in approaching the Holy Table. These scruples he imparted, with characteristic humility, to the bishop of Clermont; and acquiesced at once in the decision of that prelate, who recommended him, under existing circumstances, to postpone the fulfilment of the solemn duties of the Paschal season. His Majesty had arranged, however, to spend Holy Week in retirement with his family at St. Cloud; and this project led to unfortunate consequences. The mob, who had been taught to believe that the proposed

* Taine, *La Révolution*, tom. i. p. 442.

journey covered some counter-revolutionary movement, surrounded the king's carriage on the 18th of April, and, with the connivance of the National Guard, forcibly prevented him from leaving Paris. On this occasion the Directory of the department addressed him in insolent language, complaining that he favoured the "refractory" priests, and gave his almost exclusive confidence to the "enemies of liberty and the Constitution." The people, they assured him, would be satisfied with nothing short of the immediate dismissal of such obnoxious advisers.* Louis, deeply offended, repaired next day to the Assembly, and indignantly remonstrated against this act of violence. He once more protested that he was sincerely attached to the Constitution, "of which the civil constitution of the clergy formed part," and was fully resolved to see it executed.† But, meeting with a somewhat equivocal reception, he relapsed almost immediately afterwards into a course of inglorious concession. He required all his chaplains to resign, as well as many of the gentlemen of his chamber; and even went so far as to hear mass (without, however, communicating) at St. Germain l'Auxerrois, the parish church of the Tuileries, accompanied by the queen.‡ Another step of the same character was the

* *Choix de Rapports*, &c., tom. iii. p. 78. This address was drawn up by Pastoret and Talleyrand.

† *Moniteur*, 20 Avril 1791.

‡ *Corresp. Secrète sur Louis XVI.*, tom. ii. p. 523. The king's best friends urged him to these measures, which they represented as all important to his safety. The following extract is from a note of M. Duquesnoy to the Comte de la Marck, dated Jeudi, 14 Avril 1791:—"On vous tromperait si on vous dissimulait: 1°, qu'il est indispensable que, d'ici à dimanche, le roi ferme sa chapelle à cette troupe de dévotes et d'aristocrates qui l'inondaient; 2°, qu'il ne reçoive et n'admette aucun homme suspect de prêtrise réfractaire, et que si le curé sermenté va chez lui, il le reçoive avec politesse; 3°, qu'il aille à la Messe à sa paroisse dimanche prochain. A ces conditions, sur lesquelles je vous conjure d'insister, nous gagnerons du temps, et ici le temps est tout. Sans cela, je vous assure qu'on ne peut répondre de rien."—*Correspondance entre Mirabeau et le Comte de la Marck*, tom. iii. p. 121. A week later the Comte de la Marck writes thus to the queen:—"Quand le devoir est venu de tout dire, la reine doit avoir le courage de tout entendre. Or, si l'opinion publique ne change point, j'atteste sur mon honneur que le salut de la famille royale tient à ce qu'elle aille sans aucun retard à l'office de sa paroisse. Mon caractère n'est pas d'être exagéré dans mes craintes; eh bien! je crains tout, si l'on ne suit pas ce conseil."—*Ibid.* p. 143.

displacement of Cardinal de Bernis from the post of ambassador at Rome, and the appointment of a successor who had taken the constitutional oath.* Louis brought upon himself by these acts the usual penalties of a double-minded policy. His conduct discouraged and offended faithful Catholics, and, withal, failed to conciliate the Revolutionists, who charged him openly, and not unjustly, with dissimulation and duplicity.

Such were some of the first-fruits of the crude scheme of ecclesiastical reformation which the National Assembly had so recklessly imposed upon France. Clear-sighted politicians, even of the ultra-liberal type, began to perceive that this rash enterprise was likely to issue in a general shipwreck of the Revolution. "Your detestable Constitution of the Clergy," remarked Mirabeau to Camus, "will destroy the Constitution that we are making for ourselves."

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* The Pope earnestly protested against this step in a letter to the king, dated April 13, 1791. "Majorem in modum petimus, teque obsecramus; ut ex illis unum deligas qui Catholicam religionem intimè profiteatur, neque in ea juraverint sine exceptione verba, quæ ab isto nationali Conventu exiguntur; secus enim Nobis suspectus ingratusque esset, neque ullo modo tuo fungendo ministerio apud sanctam hanc Sedem opportunus, proindeque à Nobis non recipiendus."—Theiner, tom. i. p. 89.

CHAPTER V.

AFTER a prolonged period of suspense, of which it is difficult to give any clear explanation, Pius VI. issued a brief, dated the 10th of March, 1791, in which he condemned the general principles of the Revolution, and in particular the various heterodox articles of the Constitution Civile du Clergé.* It was addressed to Cardinal de la Rochefoucauld and the other prelates of the National Assembly, and was, in fact, the Pope's reply to the "Exposition des principes," which they had transmitted to him five months previously. In respect of argument, this elaborate document contains nothing in addition to what had been so powerfully urged by the French episcopate ever since the first sketch of the new constitution saw the light. Great stress is laid upon the manifest incompetence of a secular body to legislate for the concerns of the Church. The fundamental principle of the decrees of the Assembly—that ecclesiastical jurisdiction depends upon the sanction of the civil government—is declared to be heretical, on the authority of various Fathers, Councils, and Popes, in ancient and modern times. A decision of Louis XV. in 1731 is quoted to the same effect, in which that prince acknowledged that "the Church has received from God the right of determining all questions concerning the rule of faith and morals, including the power to make canons and regulations of discipline both for the clergy and the faithful laity; and to impose and enforce spiritual

A.D. 1791. March.

* Theiner, *Doc. Inéd.* tom. i. pp. 32–71.

censures and punishments pronounced by her chief pastors." The Pope proceeds to refute the revolutionary doctrine of universal and unlimited liberty in matters of religion; pointing out that this is contrary to the original laws and conditions of humanity, inasmuch as from the moment of our birth we are necessarily subject to the authority of our parents and elders, and accountable to an external system of government, without which society could not consist. At the same time he states that in condemning this error he by no means intends to censure any temporal legislation which the king and the nation may see fit to approve, and disclaims all thought of recommending a re-establishment of the *ancien régime.*

The brief then comments on the serious innovation which suppressed the institution of French prelates by the Roman See. "By this article the power of the Pope is superseded; and thus the streams are cut off from their fountain, the branches from the parent tree, the people from the head of the hierarchy." An exposure follows of the favourite subterfuge that this and other changes were simply points of discipline, which are in their nature variable, and do not affect dogmatic teaching. "What Catholic," asks the Pontiff, "has ever maintained that the rules of ecclesiastical discipline may be altered by laymen?" He observes, moreover, that in many cases questions of discipline of necessity involve doctrine, and have great influence in the preservation of its purity. Disciplinary changes, again, are seldom useful, and seldom durable. Those from which signal benefits were anticipated have often failed after brief experience; as an instance of which the Pope refers to the concession of Communion in both Kinds made by Pius IV. to certain dioceses in Germany; an arrangement which produced such unsatisfactory results that Pius V. felt constrained to revoke it soon after his accession.

The remaining portions of the Papal brief contain little

that requires special notice. The territorial reconstruction of the dioceses, the appointment of bishops and pastors by popular election, the summary abrogation of the Concordat of Bologna, the decree prescribing an appeal to the civil magistrate in case of the refusal of canonical institution by the metropolitan, the restraints imposed upon bishops, and the necessity of applying for advice to their own presbyters, the suppression of the monastic Orders, and, finally, the confiscation of the corporate revenues of the Church—all these topics are carefully discussed in turn; and, in conclusion, a parallel is drawn between the existing trials of the Gallican Church and those which had been endured in England in past ages, under the tyranny of Henry II. and Henry VIII.

The Pope's closing words intimate that, although he has hitherto abstained from passing formal sentence of excommunication upon the authors of the Constitution, he is fully prepared to do so; and he invites the bishops to inform him of any circumstances or considerations which it may be desirable that he should take into account before proceeding to that decisive step.

The celebrated brief "Caritas," dated the 13th of April, 1791, and addressed to the "Archbishops and bishops, the chapters of cathedrals, the clergy, and all the faithful of the kingdom of France," contains the definitive condemnation of the schismatic communion and its principal adherents. After recapitulating his previous communications with the French episcopate, his repeated letters to the king, and other important facts of the case, particularly the publication of the "Exposition des principes," upon which he bestows high commendation, the Pope protests in mournful but solemn terms against the fatal act of Talleyrand and his coadjutors in consecrating the first bishops of the constitutional schism. He animadverts with special severity on the conduct of Expilly, who on taking possession of his

diocese had put forth a pastoral letter full of assertions and pretensions in the highest degree offensive to the Holy See. "Unhappy man! let him know that he has pronounced his sentence with his own lips. For if it be true that according to the ancient discipline and the canon of the Nicene Council which he himself quotes, a bishop elect must receive confirmation from the metropolitan of his province, how can Expilly suppose that he has been canonically instituted, since he derives his powers not from the archbishop of Tours —to which see that of Quimper is suffragan—but from some other bishops? For inasmuch as these latter belong to other provinces, although they may by a sacrilegious act have conferred consecration, they cannot possibly have conferred jurisdiction—a privilege never confided to suffragan bishops by the discipline of any age whatever. Moreover, this power of granting jurisdiction does not really belong even to metropolitans; it has returned to the original source from which it proceeded, and resides exclusively in the Apostolic See, according to the express words of the Council of Trent.* No legitimate consecration, therefore, can take place throughout the Catholic Church except by virtue of a mandate from the Apostolic See."

The Pontiff then declares all ecclesiastics of whatever rank who have taken the civil oath, unless they shall retract within forty days, to be suspended from all exercise of spiritual functions, and in danger of irregularity if they continue to officiate. He pronounces the election and consecration of Expilly, together with those of Marolles, Gobel, Massieu, Lindet, and others of their colleagues, to be illegitimate, sacrilegious, null and void; declares them wholly devoid of jurisdiction, and suspended from all exercise of the episcopal office. A like sentence is passed upon Talleyrand, his assistants the titular bishops of Lydda and

* *Concil. Trident.*, Sess. XXIV. cap. i., De Reformatione.

Babylon, and all others who either had already taken part or might hereafter participate in such "execrable" acts of consecration.

The brief concludes with an exhortation to the orthodox clergy to remain faithful to their flocks, and not "abandon them to the will of ravening wolves"; and the laity are earnestly warned against giving ear to the "insidious speeches of the world's philosophy," and enjoined to avoid all communion with the intrusive pastors, especially in things spiritual. "In one word," says the holy Father, "hold fast to Us; for no man can be truly a member of Christ's Church unless he be united to its visible head, and incorporated with the chair of Peter."*

These judicial utterances of the Vatican produced a remarkable impression; and were followed almost immediately by numerous retractations of the constitutional oath, in cases where it had been accepted through fear, or thoughtlessness, or misapprehension.

The bishops of the National Assembly replied to the Pope's brief on the 3rd of May.† They informed him that their "Exposition des principes" was indorsed by the whole Gallican episcopate; that they were ready to submit to any and every personal sacrifice; that they were anxious to avoid any steps which might have the effect of disturbing the public peace; that they had constantly striven to induce the Assembly to respect the canons of the Church in its ecclesiastical discussions and decrees; but that their appeals had been disregarded, or responded to by contumely and insult. They begged that his Holiness would not think of them, but solely of the Church; and in order that no prejudice against themselves as individuals might stand in the way of a pacification, they asked permission to resign

* Theiner, tom. i. pp. 75–88.

† Lettre des évêques députés l'Assemblée Nationale, en réponse au Bref du Pape en date du 10 Mars 1791.—*Biblioth. Historique de la Révolution*, tom. clxxiv.

their sees. The Pope, however, declined this offer, rightly judging that such a course, instead of producing any salutary effect, would rather have tended to increase the prevailing difficulties and confusion.*

The scandalous indignities offered to Sisters of Charity and other equally inoffensive Catholics at Paris led to a remarkable reaction of feeling, which flowed for a time in a direction decidedly favourable to religious liberty. The authorities of the department of the Seine perceived that such atrocities, if tamely permitted, would cover the Revolution with disgrace; and on the 11th of April they published an *arrêt* bearing upon the whole question of public worship. It began by stating that "the liberty of citizens with regard to religious opinion, and in all matters not inconsistent with the maintenance of public order, ought to be guaranteed against every species of attack." After a series of clauses instituting strict supervision over the parish churches recognised by the State, and directing that all churches not required for the services of the Establishment should be immediately closed and sold, the magistrates proceeded to ordain, in the 11th article, as follows: "Every building, or portion of a building, which private individuals may wish to devote to the purposes of religious worship of any kind, shall bear outside the principal entrance an inscription to mark its destination, and to distinguish it from the churches belonging to the nation and maintained at its expense. During the year 1791 this inscription must be previously seen and approved by the Directory of the department." They expressly prohibited any use of such licensed conventicles for the purpose of attacking or disparaging the Constitution, the laws, or the constituted authorities. Lastly, the municipal officers were ordered to take measures for effectually repressing the results of the "odious in-

A.D. 1791. April.

* Picot, *Mémoires*, tom. iii. p. 176.

tolerance recently manifested," and for preventing similar offences under whatever form, "contrary to the full religious liberty recognised and guaranteed by the new Constitution."*

These arrangements, could they have been fairly carried out, would have gone far towards correcting the mistakes and arresting the pernicious consequences of the Constitution Civile. Upon the strength of the decree just quoted, "a private society of Catholics" hired for six weeks the church of the Théatins,† which had been closed as not required for the Constitutional worship. Such was their impatience to announce its opening that they omitted to place the necessary inscription over the door. Their opponents took advantage of this; and when the congregation assembled on the appointed morning they found a bundle of rods fastened to the porch, and underneath the following scroll: "Notice to devout aristocrats; wholesome medicine distributed gratis on Sunday, the 17th of April." The service had hardly commenced when a riotous crowd invaded the church and dispersed the worshippers, fortunately without inflicting serious injury. A detachment of National Guards had been ordered to attend, but, either from stupidity or ill-will, they neglected to interfere.

On the 18th this affair was brought before the National Assembly, and gave rise to an animated debate. The Constitutionalists were embarrassed how to act; on the one hand they could not openly attack the decree of the city magistrates, which was generally acknowledged to be just and necessary; while, on the other, they were by no means disposed to sanction the amount of liberty and fair play which it accorded to the nonjurors. Moreover, they themselves differed in opinion. D'André, Goupil de Prefeln, and Jessé defended the decree

* *Moniteur*, Vendredi, 15 Avril 1791.

† This church was situated on the Quai des Théatins (now Quai Voltaire), on the left bank of the Seine. It underwent several transformations during the Revolution and the first Empire, and was finally demolished in 1821.

as expressing the fundamental principles which the Assembly had always maintained and enforced; Treilhard, on the contrary, argued that it might prove detrimental, inasmuch as it took an erroneous view of the position of the recusants. "They have never been deprived of the right of saying mass in parish churches, which belongs to all Catholic priests alike; they have only ceased to be 'public functionaries,' and are not entitled to the salary paid by the State to those who hold that office. The only difference between priests who have taken the constitutional oath and priests who have refused it, is that the former are public functionaries and the latter are not. The Catholic, Apostolic, Roman Church has but one form of public worship; I cannot recognise two; I cannot draw a line of demarcation where none exists. The effect of this decree would be to make the nation schismatic against its own will. Suppose the ci-devant archbishop of Paris were to come to the church of the Théatins to perform public offices, to ordain priests for instance; in that case you will have established an open scission, which will be perpetuated. It is true that you would have only one form of religion maintained by the nation; but there would be another form besides; and in setting up schism you will likewise have created mendicity. I declare that I regard freedom of religious worship as necessary, and as already decreed; but I cannot admit two different forms of worship where in reality there is but one." He moved, therefore, a resolution stating that nonjurors were at liberty to perform any function not attached to a specific pastoral charge, and even to hear confessions with the consent of the (constitutional) bishop; and forbidding, on the other hand, religious communities to open their chapels to any besides their own members.

The truth is that Treilhard and his allies were conscious that their favourite scheme had sustained a serious check, and feared that it might be still more decisively discredited

if any additional facilities should be granted to the non-conformists. With the popular cry of religious liberty upon their lips, their policy was in fact that of the narrowest intolerance.

The Assembly decided to refer the question to the "Comité de constitution"; and on the 7th of May its report was presented by Talleyrand. This is a document worthy of high admiration for the courage and argumentative power with which it protests against the persecuting spirit of the Revolution, now developed day by day with increased intensity. "It is time that men should know," says the author, "that the freedom of opinion asserted in the Declaration of Rights is no mere empty phrase; that it is a real franchise, not less sacred and inviolable than every other, and fully entitled to effectual protection. There is no need to talk about *toleration*; that is an insulting expression, which ought no longer to find a place in the language of a free and intelligent people. If there is one particular form of worship which the nation thinks fit to maintain because it represents the belief of the majority, there is no other form which, in its judgment, is not compatible with the rights of citizenship, and consequently with the exercise of any public function. Even the king, the first functionary of the nation—who is bound, more than any one else, to enforce obedience to the laws which he himself has accepted and sanctioned—may practise any other rite in private, without being liable to annoyance on that account; for the time is long passed when it was held that the religion of the sovereign must necessarily be that of the nation; all is free on the one side and on the other; the case of the king is in this respect precisely that of every other functionary."*

* This language is very significant when we recollect that at that very moment the king was prevented by personal intimidation from fulfilling religious duties of the highest importance.

"Are we to confine ourselves to such a hypocritical toleration as would permit people to hold different sentiments provided they never manifest them by external acts? Are we to allow men to think as they please, on condition that they never express their thoughts, and never act in accordance with them? It is clear that if a man is free to entertain religious opinions differing from those of others, he is also free to make them known, for otherwise he would be continually playing false with conscience; and he is also free to act in conformity with them, so long as his acts are not injurious to the rights of other men. From this the liberty of religious worship is an evident corollary. All this is contained in the Declaration of Rights, and is in fact the essential substance of that declaration."

From these general principles Talleyrand contends that the "culte Catholique non-conformiste" ought to enjoy perfect and entire liberty; that it is impossible to prohibit a second form of Catholic worship while at the same time impartial indulgence is extended to all other persuasions, to the manifold sects of Protestants, and even to Jews. If nonjurors were forbidden to meet publicly, they would meet clandestinely, which would be far more dangerous to the national welfare. The wisest and most equitable course was to permit and protect such meetings, but withal to subject them to careful supervision, and to repress by the strong arm of the law any seditious or tumultuous excesses. "Not only France, but the whole world, has its eyes fixed upon this metropolis, and expects from its citizens an example of strength exercised with moderation, and of justice which knows how to respect the rights of all."

The Report then deals with the difficulty suggested by Treilhard, that to tolerate side by side an established and a non-established communion, holding identically the same doctrines and practising the same ceremonial, would be to sanction and perpetuate a state of schism. "Not even the

Pope himself can make a nation schismatical in contradiction to its own will. It would be vain for him, under such circumstances, to pretend to separate himself from us; we shall evade his threats and his anathemas by calmly declaring that we do not intend to separate ourselves from him; and in order to avoid the slightest semblance of a rupture, France would carefully abstain from providing herself with a Patriarch." Talleyrand observes, moreover, with reference to the late sentences of condemnation by the Vatican, that the French Church had always at hand the means of self-protection from such acts of injustice, by recurring to the "imperishable monuments of Gallican liberty." "But even in that case," he continues, "we should remain in union with the see of Rome; and should await in all security, either from the present Pope better informed, or from his successors, a return, which is sooner or later inevitable, to principles essentially allied to the cause of true religion."

It was useless to deny the existence of two opposite opinions with regard to the Constitution Civile; but it was to be hoped that that of the nonjurors would gradually decline in influence, and that the truth would in the end be acknowledged and prevail. For that purpose it was necessary that there should be no interference with conscientious conviction. "Those who consider us to be schismatics must be allowed to say so fearlessly, if they please; and the worship which they desire to celebrate separately, whether it differs from ours or not, must be just as free as any other; without this, religious liberty is a mere idle name." *

The Report recommended, therefore, that the decree of the department of the Seine should be approved and executed.

The Abbé Sieyès made a powerful speech in support of Talleyrand, and keenly satirised the Ecclesiastical Committee for its one-sidedness and inconsistency. "What!"

* *Moniteur*, Lundi, 9 Mai 1791, tom. viii. p. 336.

he exclaimed, "you are willing to extend the protection of the law to all forms of religion; it is only when that rule comes to be applied to one particular form, the exercise of which is adverse to your views, that you refuse to grant us indulgence, and denounce us as criminals! If, among the various religious persuasions, there is one from which you desire to withdraw all liberty, be so good as to frame a law to that effect, expressed in the clearest language; for you are much mistaken if you suppose that in all France there exists an administrative body which will willingly take upon itself the hateful character of persecutor. You may be sure that the Directories are not anxious to show any sympathy of sentiment, in this particular, with your Ecclesiastical Committee; or I should say, to be more correct, with that part of the Committee *which appears to see in the Revolution nothing but a splendid opportunity of reviving the theological importance of Port Royal, and celebrating the apotheosis of Jansenius upon the tomb of his enemies!* I repeat it, if you mean to except the Roman Catholic worship from the general liberty now established, you yourselves must supply that exceptional enactment; otherwise it is useless for you to expect that the Directories will supply the omission."*

The bigotry of the Constitutionalists was for the moment silenced, and good sense and *truly* liberal principles carried the day. The Assembly resolved unanimously (the côté droit declining to take part either in the discussion or the vote) that "the principles which prompted the late decree of the Directory were the same that had been proclaimed in the Declaration of Rights; and that accordingly, no ecclesiastic could be prevented, on account of his refusal to take the Constitutional oath, from saying mass in any parish church to which he might resort for that purpose." A second clause

* *Opinion d'Emmanuel Sieyès, Député de Paris, à l'Assemblée Nationale, le 7 Mai* 1791.

was added, containing stringent precautions against abuses which might arise from the establishment of licensed Nonconformist chapels. Such buildings were to be instantly closed in case of any discourse directly attacking the Constitution of the realm, *and particularly the Constitution Civile du clergé*; the author of such discourse being made liable, on the demand of the public prosecutor, to be criminally indicted as a disturber of the public peace.*

The Catholics hastened to avail themselves of this ostensible change of policy in their favour. Nonjuring priests began to officiate at the altars of parish churches, at hours when they were not frequented by the State clergy; and on these occasions there was always a numerous attendance of the faithful. Many private chapels were likewise opened; and it was hoped that a *modus vivendi* had been discovered which would at least put an end to open hostilities and persecution.

Within a very few weeks, however, affairs began to relapse into their former current. The Nonconformists having made a fresh attempt to hold service in the church of the Théatins, a violent tumult followed on June 2, the feast of the Ascension. The rabble forced their way into the church, attacked the sanctuary, overthrew the altar, and drove away the terrified worshippers with wild threats and execrations. Lafayette and Bailly hurried to the spot, and made strenuous exertions to appease the rioters by harangues upon the duty of respecting religious liberty;†

* *Moniteur*, Séance du Samedi, 7 Mai.

† "M. Lafayette s'y rendit aussitôt, et par ses discours, remplis du véritable esprit de liberté et de justice, il fit comprendre aux citoyens entraînés par des suggestions perfides que *donner la communion n'était pas une fonction publique.* L'attroupement fut bientôt dissipé et le calme rétabli. On regrette que les auteurs de ce trouble n'aient pas été arrêtés. On aurait pu sans doute obtenir d'eux d'utiles révélations, et saisir les véritables ressorts qui ont opéré tout ce mouvement."—*Moniteur*, Samedi, 4 Juin 1791.

Bailly wrote a letter of thanks to the battalion of National Guards which had assisted in restoring order on this occasion. His view of the circumstances was reasonable and impartial. "If the religion of the *insermentés* is the same as that which

but although suppressed for the moment, disorder recommenced as soon as the officials had departed; and the result was that the harassed Catholics thought it wise to abandon further vindications of their newly acquired rights, and the church of the Théatins was once more closed.

The Assembly now found itself in a state of much perplexity, caused on the one side by its declared determination to uphold freedom of worship, and on the other by its anxiety to enforce the universal acceptance of the Constitution Civile. To hold the balance evenly between the two objects was a difficult matter; every attempt to assert the one principle being followed almost inevitably by some act of aggression from the opposite party. Thus an accusation was brought against Cardinal de la Rochefoucauld, archbishop of Rouen, for having interdicted certain priests who had taken the oath to the Constitution, and having notified this fact to the churchwardens and principal parishioners. The report made to the House charged him with a violation of public order and the authority of the law by this proceeding, since as a nonjuror he was destitute of ecclesiastical jurisdiction; and moreover, with contempt of the existing delimitation of dioceses, one of the parishes in question having been severed by the late measures from the diocese of Rouen and transferred to the newly created see of Versailles. In the debate which followed the Cardinal found a zealous advocate in his kinsman the Duc de Liancour, who

is salaried by the State, then it is our own, and we are bound to respect it. If it is different from ours, then we ought to tolerate it, as we tolerate other persuasions which differ from us far more widely. 'Oh, but,' say the agitators, 'if we permit these priests to say mass, at all events we must not suffer them to preach, to confess, to administer the Communion.' And wherefore? What becomes of the liberty of citizens, if their consciences are to be tormented on account of such religious acts, and if they are not to be independent in the choice of their own ministers? It is said that some individuals communicated two or three times on the same day. This is false, no doubt; but supposing it to be true, if it is an article of their religion, that article and that religion would be fully comprehended in the late decree of the Assembly. Frenchmen! listen to the voice of liberty; it ought to be the common property of all alike; while striving to establish it in one direction, do not destroy it in another!"—*Moniteur*, June 9.

defended him on the ground of his great age, and the high estimation in which he was held both for public and private virtues, which forbade the notion that he could be wilfully guilty of insulting the institutions of his country. He pointed out, further, that the bishop of Versailles had not been installed at the date of the proceedings complained of by the prosecution; and that inasmuch as the Cardinal had not yet been replaced by his successor at Rouen, he was justified by the very letter of the new legislation in continuing to act as ordinary. A member named Muquet, however, insisted that, with all respect for the character of Cardinal de la Rochefoucauld, it was impossible to allow offences of this kind to pass unpunished. "We are bound to do justice to the individual, but it is also our duty to examine facts with rigorous impartiality. Acts of this nature cannot be passed over without greatly endangering the success of the Constitution Civile du Clergé. To show weakness in such a case would be to encourage the audacity of the refractory priests, and to rekindle all the hopes of the disaffected. It was by acting with courage that you established your Constitution, and you must act with equal courage to the end; the slightest exhibition of weakness will be taken advantage of against you, and will bring ruin upon your work." On a division there appeared a small majority in the Cardinal's favour, and it was resolved that there was no ground for further proceedings.

But special care was taken that this division should not be interpreted too favourably to the nonconformists. On the very next day Treilhard reminded the House that M. de la Rochefoucauld had been acquitted solely because he was presumed to be ignorant of the installation of the constitutional bishop of Rouen. "It was never your intention to imply that public functionaries, after having been superseded, have any right to continue to officiate." Nor was this explanation thought sufficient. Treilhard proceeded to move

that "public prosecutors should be bound, under pain of forfeiting their places, to indict all ci-devant ecclesiastical functionaries who might persist in performing public duties after receiving notice that their successors had been appointed and installed;" * and further, that "ecclesiastics who, having taken the oath to the Constitution, should subsequently retract it, should be altogether deprived of salary or pension." Nothing could more clearly indicate the real animus which governed the majority of the Assembly. In theory they were tolerant beyond all former example; but in practice they enforced a policy of unblushing persecution. As a matter of abstract principle, religious opinion was free as air, and all sects, without distinction, were impartially protected by the law; but at the same time, men holding opinions of a certain type, and desiring to worship God without fettering their consciences with an unlawful oath, were to be branded as criminals, and driven forth in cold blood to starve. Mirabeau and Bailly, Sieyès and Talleyrand, might descant with exhaustive eloquence and amidst enthusiastic plaudits upon the blessings and glories of that reign of liberty which France was inaugurating for mankind; but it was well understood, nevertheless, that with regard to one particular class of the community this loudly vaunted liberty was to be simply illusory; the class, namely, of those who conscientiously dissented from the Constitution Civile du Clergé.

Serious disturbances broke out at this moment in some of the Western departments, especially in the Loire Inférieure, where the peasantry had shown themselves violently hostile to the new *régime*. Bands of armed men were despatched by the Revolutionists into the rural parishes to enforce on the inhabitants at the point of the bayonet the ministrations of the Constitutional clergy. Gross cruelties

* *Moniteur*, Dimanche, 19 Juin.

were practised, and the people were driven to such a pitch of exasperation that the outbreak of civil war seemed imminent. It was, in truth, the prelude to the memorable insurrection of La Vendée, which commenced two years afterwards.*

The departmental authorities now resorted to an expedient which had already been suggested elsewhere; namely, that of removing nonjuring priests from the localities where they had exercised their ministry. They were publicly informed that they would be held answerable for any trouble or collision that might occur at the moment of their displacement by the Constitutionals; and that in that event it would be necessary to arrest them personally, and detain them "as hostages for the general tranquillity and the re-establishment of order." This was the first of a series of measures designed to purge the country altogether of the rebellious priesthood, and to proscribe the orthodox worship. The next step was to summon all "suspected" ecclesiastics to appear at Nantes, where they were immediately confined in the Seminary. After a time the Directory sent a party of National Guards to release them; upon which the "patriots" raised a tumult, and made such threatening demonstrations that the magistrates thought it advisable, having regard to the safety of the prisoners, to postpone their liberation. The Directory of the Finistère yielded in like manner to the pressure of popular agitation; the nonconformists were tracked and arrested throughout the department, and numbers of them were incarcerated in the Carmelite convent at Brest.

The unfortunate flight of the king to Varennes, on the 21st of June, gave an irresistible impulse to the torrent of persecution. In the address to the nation which he left behind him, Louis referred with special emphasis to the religious dissensions of the kingdom, and to the constraint which he had

* See Taine, *La Révolution*, tom. i. p. 428.

suffered as to his personal convictions. He recapitulated the circumstances of his intended visit to St. Cloud in Holy Week; how advantage had been taken of his known attachment to the religion of his fathers to excite odium against him; how he had been denounced in public placards as rebellious to the law; how his carriage had been forcibly stopped at the gates of the Tuileries; how the National Guard, instead of protecting their sovereign, had encouraged and joined the rioters; and how, in spite of the utmost exertions of M. Lafayette, his Majesty had been compelled to return to his prison; "for after such outrages his palace could not be called by any other name." He mentioned further that he had been forced to dismiss his chaplains and the chief officers of his household, and also to hear mass on Easter Day celebrated by the Constitutional curé of St. Germain l'Auxerrois.* It is clear from this document, as well as from other indications, that one of the king's main objects in this luckless step was to extricate himself from his false position with regard to the Constitution Civile, and to regain freedom of religious action; and the failure of the attempt naturally produced a fresh outburst of passionate rancour against the orthodox clergy, who were thus pointedly identified with the fortunes of Louis and with the cause of the monarchy. They were charged with having favoured the king's escape; with being in constant correspondence with the emigrants beyond the Rhine; with stirring up sedition and hatred against the National Assembly; with promoting various schemes of imaginary counter-revolution.

The state of things in the provinces became daily more alarming; and at length, on August 4, a report upon the subject was presented to the Assembly in the name of the Ecclesiastical Committee, which provoked a violent debate. "The dangers which threaten certain departments," said the

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Choix de Rapports, Discours, &c., tom. iii. pp. 97–110.

deputy Legrand, "demand prompt and vigorous measures. With regard to these departments—the Nord and the Pas de Calais—we have been compelled to set aside the great principles of moderation: the circumstances make it imperative; the safety of the people is the highest law." He then read the proposed decree, which enjoined all members of religious Orders still practising the monastic life to repair to Paris, where the authorities would assign them localities for their future abode. Monks who had quitted the cloister, together with all priests who had not taken the oath to the Constitution, were to retire to a distance of thirty leagues from the frontiers of the two departments above mentioned, and to announce to the municipalities their arrival at their new places of residence. In case of disobedience the offenders were to be taken into custody, and to be deprived of all stipend or emolument which they had previously enjoyed. The Right exclaimed with indignant vehemence against this project; the Abbé Maury rose, bowed with mock respect, and left the House with many of his colleagues. Legrand proceeded to advise the extension of these rigorous measures to the anti-constitutional clergy throughout the kingdom; but here he encountered decided opposition from the majority of his own party, who began to doubt the wisdom of committing themselves to a deliberate and wholesale scheme of persecution. The most prominent members of the côté gauche—Martineau, Barnave, Pétion, Chapelier, Regnault—resisted the motion; and in the end the report was referred back to the committees, which amounted virtually to its rejection.* The Assembly, now approaching the termination of its labours, evidently shrank at the eleventh hour from the responsibility of carrying out its oppressive policy, and viewed with dismay the progress of disorganisation throughout the country. But the reactionary feeling came too late. It was of

* *Moniteur*, 4 Août 1791, tom. ix. p. 305.

little use to repudiate one harsh enactment while others of the same character remained unrepealed; the flames of intestine strife were already kindled, and were not to be extinguished until they had fulfilled their destined course.

During the next few weeks accounts were forwarded to the Assembly which showed that the religious feud was everywhere assuming a more portentous aspect. The disturbances complained of were in most cases laid to the charge of the nonjurors, but by no means exclusively; one of the most turbulent agitators was Claude Fauchet, Constitutional bishop of Calvados, who was denounced by the municipality of Bayeux for making use of the pulpit to excite the people to sedition and insurrection. He had placed himself at the head of the Jacobin Club at Bayeux, and, perambulating the department under the pretext of pastoral visitations, strove to indoctrinate his flock in notions subversive of all order and security—political, social, and religious. Joubert, one of his episcopal colleagues, severely reprobated his conduct, and moved that he should be arrested; but the Assembly contented itself with ordering that judicial proceedings should be taken against him, and that the Ecclesiastical Committee should prepare a measure for "restraining the constitutional bishops, the public functionaries, and all ecclesiastics, within the boundaries of their proper duties." Fauchet was accordingly prosecuted before the tribunal of Bayeux, which ordered him into custody; but his Jacobin satellites made a boisterous demonstration in his favour, rescued him from the hands of justice, appointed him president of the electoral college, which was on the point of assembling, and in the end carried his election at the head of the poll as deputy for the department in the forthcoming Legislative Assembly.*

* "Malgré son décret de prise de corps, l'abbé Fauchet, évêque du Calvados, est député à l'Assemblée. Les sept cents électeurs de ce département n'ont point voulu commencer leurs fonctions que leur évêque ne

No further direct action was taken by the existing legislature, during the brief remainder of its session, in the great conflict which distracted France. The "Constitution of 1791" was finally revised, declared complete, and solemnly accepted by the king; and on this occasion a general amnesty was proclaimed for all events and acts connected with the Revolution. This was an important boon to the nonjurors, since it put an end, at least for the time being, to all legal proceedings arising from the enforcement of the Constitution Civile. All persons, whether priests or laymen, who had been imprisoned upon such grounds were thus restored to liberty; all sentences inflicting penalties of various degrees upon those who declined the civic oath were summarily revoked. This welcome measure of relief was on the whole fairly executed, though in many cases with evident reluctance on the part of the authorities. But none were so far deceived as to suppose that it would lead to a permanent reconciliation between the belligerent parties. The enactments of the Constitution remained unaltered; the oath which it imposed was no less obligatory than before; and no step, therefore, had been taken which could be seriously interpreted as tending to extinguish the existing schism. It is true that the question was mooted, at the last moment, whether the Constitution Civile was to be inserted textually in the Constitutional Act of 1791, and it was decided that this was inexpedient; but, at the same time, it was judged necessary that its fundamental principle (*base fondamentale*) should be reasserted and confirmed, namely, that of the election of the bishops and clergy by the people; and this was accordingly laid down in the First Article of the Constitution.* Another Article (Titre VII.) provided that "those decrees of the

fût à son poste d'électeur. D'après une délibération unanime, tout le corps électoral a été chercher en triomphe cet évêque, et il a été élu député. Reste à savoir si la nouvelle législature confirmera la députation de M. Fauchet."—*Corresp. secrète et inédite sur Louis XVI.*, tom. ii. p. 548.

* "Les citoyens ont le droit d'élire ou choisir les ministres de leurs cultes."

Constituent Assembly which were not comprised in the Constitutional Act should be executed as laws, so long as they were not expressly revoked or modified by the legislative power." Under the circumstances, however, inasmuch as the ecclesiastical changes were not incorporated in so many words with the new Constitution, and no distinct mention of them was to be found in the civic oath, many Catholics acquiesced without hesitation in the prescribed conditions of citizenship, and were thus enabled to take part in the proceedings of the general Election.

Such was the posture of ecclesiastical affairs when the Constituent Assembly was dissolved on the 30th of September, 1791. That its career should have closed just at this moment was a misfortune for France; for, during the last few months, it had undoubtedly shown a disposition to be more equitable and lenient in the application of the Constitution Civile. Had its existence been prolonged, it is not impossible that Malouet, Maury, Sieyès, and others of like sentiments, might have acquired more decided influence, and deterred the Legislature from taking any additional steps in the suicidal policy of persecution. Yet such a result can hardly be pronounced probable, when we consider the tyrannical pressure exercised by the revolutionary clubs, the great falling off in the Conservative ranks through the prevalence of emigration, and the total collapse of the authority of the Crown. Added to which, the cause of the Church and the monarchy was deprived of many of its ablest defenders by the absurd regulation which disqualified members of the Constituent Assembly for election to the Legislature which succeeded it.

But, while it must be admitted that more moderate and liberal views prevailed on the eve of the dissolution of the Assembly as to the administration of the new *régime*, this cannot be pleaded in excuse for those earlier acts which determined the entire course of the Revolutionary legislation

with reference to the affairs of the Church. The mistakes of the Constituent Assembly in the first days of its power produced, as their logical outcome, the divisions and confusion, the proscriptions and imprisonments, the civil strife, the heartless tyranny, the appalling crimes, of a later period. The seed was sown by the spoliation of the clergy and the establishment of the Constitution Civile; the harvest was reaped in the "Reign of Terror."

Among the events which concurred to throw an overpowering advantage into the hands of the ultra-democrats, perhaps the most important was the death of Mirabeau. This happened on the 2nd of April, 1791, at the very moment when the magistrates of Paris were preparing to take a decided step in favour of the orthodox clergy and their flocks. It is well known that the sentiments and purposes of Mirabeau with regard to the Revolution underwent a signal change during the last years of his life, and that he would willingly have arrested the terrible tempest which he himself had contributed so largely to evoke. He was engaged at this time, in concert with M. de Montmorin, the Count de la Marck, Malouet, and Bertrand de Moleville, in arranging the details of a counter-revolutionary movement; and it would be difficult to overrate the possible effect of his matchless oratory, his dazzling popularity, and his insatiable ambition, had he lived to bring his scheme to maturity and to launch it into action.

The appearance of the two Pontifical briefs of March 10 and April 13, 1791, disconcerted the Revolutionists, who had been accustomed to maintain throughout that the Constitution Civile never had been, and never would be, condemned by the supreme authority of the Church. No further doubt could exist upon the point if these documents should acquire general currency and credit; and accordingly they now began to deny their authenticity. In consequence of the late changes and the disorder that prevailed in Church

and State, the briefs had not been addressed to the French Government in the customary form; and this was urged as presumptive proof that they had not really emanated from the Holy See. There was no longer a Nuncio at Paris; and the communications between Rome and the orthodox portion of the Church of France had become more or less difficult and precarious. The consciences of simple-minded Catholics were much disturbed. The state of things is thus described by the bishop of Marseilles in a letter to the Pope dated the 30th of July, 1791:—"The enemies of our holy religion, of which you are the head, are constantly asserting and proclaiming that these two briefs are fictitious, and that the name of your Holiness has been fraudulently borrowed in order to deter the faithful from paying due obedience to the laws of the State; and they have had the assurance to put forward a document entitled 'The True Brief of the Pope,' in which they represent your Holiness as assenting to the Constitution Civile du Clergé de France, a manifesto which is self-refuted by all the contumelious details with which it abounds both against the Pope and against all orders of the clergy. Nevertheless, many excellent people, who up to this time have walked zealously in the straight paths of salvation, have allowed themselves to be seduced by secular philosophers, who surround them, and prevent them from opening their minds to the truth. Among them are many persons very dear to me; the shadow of death in which they lie afflicts me much, and all the more because they are the heads of a numerous family, over whose future fate I groan. Help me, I beseech you, most holy Father, to retain these sheep among the flock which the Lord has confided to you. Notwithstanding the impression which they have that the two aforesaid briefs are spurious, they have promised me to abjure their error if I procure them a positive attestation of their authenticity from the Holy See. I cast myself at your feet, holy Father, to entreat you to supply me with the means

of doing so. I have no doubt of their sincerity; they will be convinced, if you should condescend, in reply to my petition, to testify with your own hand the genuineness of your briefs." *

The Constitutional bishops adopted without scruple, even in official documents, this unworthy device for ignoring the recent utterances of the Vatican. They published a circular entitled "Accord des vrais principes de l'Eglise, de la morale, et de la raison, sur la Constitution Civile du Clergé de France," † which was designed as a reply to the "Exposition des principes" of the orthodox prelates. After repeating the staple arguments in defence of the late changes, they pointed out that, according to the regulations of French law, no rescript from Rome could be received or executed without the authority of royal letters patent registered by the tribunals; and inasmuch as no such formality had been observed in the present instance, they pronounced the two briefs to be apocryphal. "How can any man persuade himself," they exclaimed, "that the successor of St. Peter would give the scandalous example of violating a positive law, in order to obtain fraudulent circulation for rescripts which, having nothing to guarantee their authenticity, might be tampered with, and even converted into libels, by the enemies of religion?"

Charrier de la Roche, bishop of the Seine Inférieure, in a circular letter to his clergy dated the 18th of May, 1791, inveighed with extreme bitterness against the brief of the 13th of April. He describes it as "an offensive tirade against the National Assembly," and taxes it with false statements, with exaggerations, with contumelious and insulting language. "It condemns," he says, "a multitude of persons without hearing them; and repeats, with slavish tautology, all the

* Theiner, *Doc. Inéd.* tom. i. p. 330.

† Hesmivy d'Auribeau, *Mémoires*, tom. i. p. 421.

objections which have been urged a thousand times over against the new order of things; which gives ground for the belief that the brief was manufactured at Paris. Such language cannot be attributed to the Pope without doing him wrong—without failing in due respect for him. But even supposing it to be really the production of the Pope, we ought not to be disturbed by the menaces and ungracious expressions which it contains. When it is legally brought to our cognisance, we shall find many ways of replying to it legally and canonically."*

Camus, however, disdained to avail himself of this ingenious subterfuge. He did not pretend to question the origin of the two briefs; but he published an elaborate pamphlet† to prove that the Pope's condemnation of the Constitution Civile, being contrary to the Gallican liberties, was altogether nugatory. "The Pope has no immediate jurisdiction, no power to judge in first instance, in France. This is one of the principal articles of our liberties, which have protected the kingdom against the usurpations of the court of Rome. It is perfectly useless, then, for the Pope to fulminate censure upon censure, to accumulate suspensions, irregularities, and threats of excommunication. All these denunciations are merely illusory. All these sentences are null and void through lack of power. The Pope has done nothing, because he had no power to do anything. The late bishop of Autun, the bishops of Babylon and Lydda, the newly appointed bishops and parish priests—not one of all these personages is amenable to the judgment of the Pope. Censures cannot exist except in such measure as they are pronounced by persons authorised to pronounce them, and according to the forms of law. Now in this case there is neither sufficient authority in the hands of the Pope, nor

* *Nouvelles Ecclésiastiques*, tom. xxxvii. p. 105 *et seq.*

† "Observations sur deux Brefs, par M. Camus, ancien homme de loi, membre de l'Assemblée Nationale. Juillet 1791."

previous proceedings in a court of law, nor a legal notification of judgment. He who cares nothing for the Catholic religion witnesses with indifference the abuse of an authority to which he attaches no importance. The enemy of Catholicism rejoices to see such abuse of authority, because he flatters himself that it will bring contempt upon the authority itself—a result which he much desires. But he who is sincerely attached to the Catholic religion considers it a duty to point out the evils arising from the errors of those in authority, and to distinguish such abuses from the legitimate use of authority, in order to preserve all due respect for the rights of the Church and her ministers, while condemning at the same time particular acts which are contrary to rule. Let no one suppose, then, that the writings which have exposed the abuses and the nullity of the late Papal rescripts are symptoms of a doubtful Catholicism; rather they can only have been dictated by a Catholicism most pure and sincere."

The minds of Camus and his fellow-reformers were fatally blinded by controversial prejudice. Intent as they were upon overthrowing the usurped dominion of Rome, they did not perceive that in the meantime they were outraging both the religious and political liberties of their own country by their mischievous efforts to enforce the Constitution Civile. Had they employed half as much zeal in a different direction; had they defended the rights of unoffending pastors whose consciences revolted from the civic oath; had they striven to repress the spirit of persecution, to restrain and punish the excesses of democratic tyranny—they might yet have done something to save France from the last and worst disasters of the Revolution. Doubtless they did not foresee the consequences of their own shortsighted policy. Doubtless, when at length their eyes were opened to the impending shipwreck, they deplored with keen compunction the delusions, fallacies, and baseless chimeras of the Constituent

Assembly. But "revolutions never turn back." It is nothing wonderful to find that many of those who planned and executed the wild vagaries of 1789 perished in the end victims of their own infatuation. Had they shown more wisdom when power was in their hands, they might probably have preserved, not only their lives, but all the most venerable and precious of the institutions of their country.

CHAPTER VI.

THE Legislative Assembly, which commenced its sessions on the 1st of October, 1791, included ten members of the constitutional episcopate; namely, Desbois, bishop of the Somme; Gay Vernon, of the Haute Vienne; Fauchet, of the Calvados; Le Coz, of the Ille et Vilaine; Lamourette, of the Rhône et Loire; Lefessier, of the Orne; Pontard, of the Dordogne; Torné, of the Cher; Font, of the Ariége; Huguet, of the Creuse. It contained likewise seventeen constitutional curés, among whom figured Cerutti, an ex-Jesuit, Chabot, one of bishop Grégoire's cathedral staff at Blois, and Arbogast, rector of the University of Strasburg.

Ecclesiastical matters engaged the attention of the House almost immediately. On the 7th of October Couthon brought forward the subject of the "prêtres réfractaires," against whom he said it was necessary to act with vigour. Many of them continued to officiate in their parishes, although legally superseded; this created jealousy, confusion, and other worse results. The speaker admitted, however, that it was impossible to obtain certain proof against them, since no one was present at their ministrations but their own partisans. One fact, he said, he could vouch for. A Constitutional priest had succeeded in gaining entrance to the building where a nonjuring priest was saying mass. The latter, as soon as he perceived the intruder, hastily threw off his robes in the middle of the office, and took flight, crying out, "This church is polluted!" *

* *Moniteur*, Séance du 7 Octobre 1791.

The discussion was adjourned for a week, and was not resumed till the 21st of October. In the meantime Gallois and Gensonné, who had been commissioned some months previously to inquire into the circumstances and causes of the disturbances in La Vendée, presented their report, which was read in the Assembly and ordered to be printed. This is a document full of interest, and, making allowance for the position of its authors, highly commendable for its fairness and moderation. It begins by stating that the troubles in question arose from the imposition of the clerical oath to the new Constitution; the department up to that time having enjoyed perfect tranquillity. The profound attachment of the simple-minded peasants to religion "as they understood it," and their boundless confidence in the priests to whom they were accustomed, were the principal elements which produced the late agitation, and which might produce further mischief. The priests had profited by this ascendency over their flocks to alarm their consciences and inflame their superstitious zeal; yet it was acknowledged that many of them acted in good faith, and under a firm conviction of the truth of the doctrines and sentiments which they inculcated. Others, it was thought, "pursued, under the veil of religion, interests which in reality were dearer to them."

The report goes on to speak of a "powerful coalition formed by the ci-devant bishop of Luçon and part of his clergy, for the purpose of opposing the execution of the recent ecclesiastical decrees." This refers to a mandement addressed by that prelate to the faithful curés of his diocese, prescribing the steps they were to take when dispossessed by the "Constitutionals." The liberty granted to the orthodox clergy by the famous decree of the 7th of May was, in the opinion of the bishop, to be regarded "as a snare," inasmuch as it might lead to acts of intercommunion with the schismatics, incompatible with the rules of the Church. The Catholic priest, therefore, was enjoined to retire imme-

diately on the appearance of the intruder, and to seek some other locality where he might continue his functions without exposing his flock to the risk of contamination. In small rural parishes it might be difficult to procure such; "in that case a simple barn, a portable altar, a chasuble of calico or some other common material, and vessels of pewter, may suffice for the celebration of the holy Mysteries and Divine service." "Such simplicity, such poverty," added the bishop, "may serve to remind us of the primitive ages of the Church and the cradle of our holy religion; and may thus prove a powerful means of exciting both the zeal of the pastor and the fervour of the faithful. Under the persecutions which afflicted the primitive Church, Christians were compelled to abandon their basilicas, and to take refuge in caverns and even in sepulchral vaults; and these were the times which exhibited the brightest spectacles of piety."

The ejected clergy were exhorted in the same pastoral to regard themselves as the sole legitimate incumbents; to remain, if possible, within the bounds of their parishes, so as to be at hand for any and every spiritual ministration; and carefully to inform their parishioners of the arrangements made for that purpose. They were ordered likewise to draw up a *procès-verbal* of the intrusion of the "Constitutionals" into their parishes, together with a formal protest against the validity of all their ecclesiastical acts. These documents were to be kept strictly secret.

The Commissioners proceed to complain bitterly of the conduct of certain missionaries established at St. Laurent, near Montaigu, to whose indefatigable exertions they attributed in very great measure the state of feeling throughout La Vendée and part of the Deux Sèvres. They had circulated in vast quantities manuscript instructions to the Catholic population for their guidance under the difficulties of the schism. According to them, the Constitutional priests had no authority to administer the sacraments; all persons

partaking in their acts, even by being present at them, were declared guilty of mortal sin, excusable only in case of ignorance or want of intelligence. Those whom they pretended to marry were not really married, but living in concubinage; their children were bastards, because God had never ratified their union; "and it is better that a marriage should be accounted void in the sight of men than that it should be such in the sight of God." The rites of Christian sepulture, moreover, must not be sought at the hands of the intruders; if the orthodox clergy could not officiate on such occasions without endangering life or liberty, the relations or friends of the deceased must inter them secretly. Catholic pastors were to keep an exact register of all their ministerial acts; the civil courts might possibly refuse to admit their legality; but it was better to lose the advantage of the civil registration than to commit an act of apostasy by accepting a counterfeit ministry. In fine, the faithful were exhorted to have no communication or intercourse of any sort with the intruders. All municipal officers taking part in their installation were declared guilty of apostasy; and at the very moment when that ceremony might commence, the sacristans, choristers, and bell-ringers were enjoined to abdicate their functions.

The report observes that these instructions circulated by the missionaries, compared with the pastoral letter of the ci-devant bishop of Luçon, proved clearly that they proceeded from the same general system of opposition to the late decrees on the civil organisation of the clergy; and the existing state of the majority of parishes in the department simply represented the further development of that system, and its doctrinal tenets as consistently carried out in practice.

The delay in superseding the non-jurors had greatly favoured the success of the coalition, by giving its leaders time to arrange measures for united and resolute action. The great majority of the late "public functionaries" re-

mained still in their parishes, discharging their former duties. The subsequent nominations had met with little or no success; the newly elected pastors, disgusted by the prospect of endless difficulties and mortifications in their future position, refused to commence their duties. The state of things was perilous alike to political order and to social confidence. The municipal bodies were disorganised, chiefly owing to their unwillingness to take part in dispossessing the orthodox clergy. Large numbers of citizens declined to enrol themselves in the National Guard, and those who joined its ranks were not to be depended on as to any transactions connected with the Church or religion, because the people would regard them in such matters not as mere mechanical instruments of the law, but as the agents of a party opposed to their own. Every available means of pressure was employed to intensify these popular antipathies. The needy who sought relief from want, the artisan who desired scope for his talents and industry, had no hope of obtaining it except by making an engagement to shun the masses of the Constitutional priest; and by this combination of implicit confidence in the regular priesthood on the one hand, with all the arts of intimidation and of seduction on the other, it came to pass that the churches served by the conformists were deserted, while those in which it had not been possible to replace the nonjuring incumbent were thronged by crowds of ardent worshippers. Nothing was more common than to find in parishes with a population of 500 or 600 only ten or twelve frequenters of the ministry of the Constitutional priest. On Sundays and festivals the inhabitants of whole villages left their homes and journeyed long distances for the purpose of hearing mass from a nonjuror. It was not surprising that a multitude of people who thought themselves bound to travel so far to seek a valid administration of the sacraments, should regard with dislike their five or six fellow-parishioners who had a priest of their own choice officiating close to their

doors. They naturally contrasted the comfort which they formerly enjoyed in the ministry of pastors who lived among them and possessed their confidence, with the annoyance, fatigue, and loss of time occasioned by these constant peregrinations; and such reflections greatly diminished their attachment to the Constitution, to which they ascribed all the discomfort of their present situation. The Commissioners considered this to be one of the most fruitful causes of the discord prevailing in provincial districts.

It might be asked why the nonjuring priests did not avail themselves of the liberty granted them by the law to say mass at certain hours in the parish churches served by the established clergy; thus sparing their adherents the difficulties arising from toilsome pilgrimages to a remote locality. But it must be remembered that one of the points most rigidly insisted on by the leaders of the religious revolt was the duty of abstaining from all communication with the priests whom they styled intruders and usurpers; since it was feared that the common people, governed as they are chiefly by signs which meet the outward eye, might at length begin to imagine that there could be no real difference among priests whom they saw performing the self-same offices within the same sacred precincts.

The dissensions in religion had unhappily engendered political division; and this was fomented by the denominations popularly assigned to the contending parties. The very small class who supported the Constitutionals called themselves *patriots*; those who clung to the nonjurors were styled *aristocrats*; and thus, in the estimation of these poor peasants, the love of their country had come to consist, not in obedience to the law and respect for legitimate authority, but in attending or not attending the mass celebrated by a priest who had taken the oath. The Commissioners had laboured to make them understand that the political constitution of the State was not the same thing with the "civil

constitution of the clergy"; that the Government did not tyrannise over men's consciences; that every one was free to go to the mass which suited him best; that all were equal in the eye of the law, which imposed no obligation upon citizens beyond that of living together in peace, and exercising mutual toleration as to religious differences. They had made every possible effort to discourage and put an end to these absurd party distinctions; fully apprehending the grave consequences which might arise from such a mark of dissension in a department where more than two-thirds of the population belonged to the so-called *aristocrats*.

On proceeding to the department of Deux Sèvres, they found it agitated by troubles of the same kind. The public feeling in favour of the nonjuring clergy was even stronger and more enthusiastic than in La Vendée. The great majority of priests had not taken the oath; and while the churches in which they ministered were thronged to overflowing, those of the Constitutionals were almost deserted. The same party appellations of "patriot" and "aristocrat" were rife, and the spirit of mutual animosity was yet more intense. The fifty-two municipalities of the district unanimously petitioned that the services of the orthodox pastors might be retained or restored. The same prayer was reiterated by numerous deputations of the inhabitants. "We ask no other favour," they said, "but to have priests in whom we can confide"; and many of them volunteered to pay a double amount of taxes on condition of being allowed that privilege. The Directory of the department had resolved upon removing the nonconforming priests to a distance from their parishes, and had ordered them to repair for that purpose to Niort; but the Commissioners, after careful examination, thought it right to stop the execution of their decree. Priests who had been suspended, they considered, ought not to be treated as rebellious to the law merely because they continued to live quietly in localities where they had been long

established. No man could be treated as a rebel unless he placed himself in that category by overt acts, duly certified and proved; and infractions of the laws relating to the clergy ought to be punished, like other offences, according to the statutory forms of procedure. The proposed measure, however, was not, in their judgment, likely to be effectual. If the people had no confidence in the Constitutional priests, the banishment of those to whom they were attached would hardly induce them to esteem them more highly. And in districts where the great majority of the clergy, being nonjurors, continued to exercise their functions as the law prescribed until they were replaced, it would be futile to remove a few individuals when they could not avoid leaving behind large numbers of their colleagues who held the same principles. They were convinced that, in the existing state of men's minds, any attempt to carry out such a policy would infallibly be the signal for the outbreak of civil war.*

Such was the practical working of the Constitution Civile in these departments, according to the testimony of those most interested in its success. The House received their report with general applause, and awarded them its thanks for the wisdom and sound judgment with which they had fulfilled their mission. A stormy debate followed, in which a series of crude and contradictory projects were broached for dealing with the religious difficulty of the day, the gravity of which became more and more manifest to all. The first speaker, Lejosne, contended that this was no mere question of freedom of religious opinion, but involved the safety of the State; for, unless immediate precautions were taken, the refractory priests would cause torrents of blood to flow. Severity was required by the urgency of the circumstances. The case could only be met by removing the nonjurors to the chief towns of the departments, where they

* This report is given *in extenso* in the *Moniteur*, 12 Novembre 1791.

would be under the eye of the magistrates, and would no longer be able to foment disaffection among the peasantry. It would be useless to leave them to be dealt with in the ordinary course of law; for unfortunately the legal authorities were for the most part determined enemies of the Constitution. It was necessary not only that the nonconformists should be confined to the provincial capitals, but also that the judges and public accusers should be made personally responsible for the consequences of their seditious conduct, unless it could be proved that they were already under prosecution before the regular tribunals.

This view was combated by Davignot, who energetically vindicated the principle of religious liberty, and repudiated the notion that mere dissent from the new Constitution was to be punished as a crime. "If these priests are peaceable citizens, respecting the law, and doing no violence to the idol before which they refuse to burn incense, what right have you to interfere? You cannot permit any one doctrine to be dominant. You cannot protect one at the expense of another; that would be to contravene the most elementary principles of the Constitution. Where is the danger, I ask, of allowing conformist and nonconformist to reside in the same localities? I cannot perceive it; unless, indeed, it be alleged that the latter intrudes vexatiously into the functions of the former, and creates scandal by seeking to oust him from his legal position. In that case he is a disturber of the public peace, a violator of the rights of mankind; and I will be the first to denounce him to the courts of justice." He deprecated, therefore, the passing of any general measure against the nonjurors, inasmuch as it was impossible to punish them except for manifest and proved offences against the law of the land.

On the other hand, Lemontey (afterwards the well-known author) argued in favour of exceptional legislation. The magnitude of the evil, he said, was such that it could not be

left to the control of the tribunals without additional regulations. Fresh powers must be granted to the courts of correctional police, which must be charged with the cognisance of all troubles arising from the present divisions. They should be bound to deal with these cases with the least possible delay, and should be authorised to deprive offenders of their stipend either in whole or in part, and remove them from their residence for any term not exceeding two years. The nonconforming clergy must be replaced according to the form already prescribed, but only in pursuance of an express demand of the Conseil Général of the parish addressed to the Directory of the department; and no stipend should be paid without the production of a certificate from the municipality that the applicant had taken the civic oath. Lemontey also recommended that an address to the nation should be published, setting forth the necessity of exacting an oath of fidelity to the Constitution from men salaried by the State and recognised as its functionaries. He declared (although the sophism had been so often exposed that there was no excuse for reproducing it) that the oath in question was altogether unconnected with religion and the dogmas of the faith; that it was neither more nor less than the same oath that had been already taken by all Government officials, and by the members of the legislature. The conduct of the nonjurors, according to him, arose simply from inveterate attachment to the abuses of the old *régime*; they regretted their tithes, their privileges of exemption, and the imposts which weighed so heavily upon all other classes of society. "Their religion consists in counter-revolution. Their God is not your God; their God is beyond the Rhine."

One of the most memorable features of this debate was the speech delivered on the 26th of October by Fauchet, bishop of Calvados, already notorious for the wild extravagances both of his political and ecclesiastical career. This prelate began by preaching toleration; action must be taken

against the "refractory priests," but it must be combined with respect for the rights of the citizen, with freedom of opinion, with the liberty of the press, with liberty of religious worship, with liberty of all kinds. "No persecution, gentlemen! Fanaticism longs for it, but true philosophy abhors it, true religion condemns it, and a law to enact it is the last thing that would be sanctioned by the National Assembly of France. Let us beware of imprisoning the nonjurors, of exiling them, and even of displacing them. Let them say, think, and write what they please; we will oppose our ideas to their ideas, our true principles to their errors, our virtues to their calumnies, our charity to their hatred." (Applause.) But this benevolent exordium was quickly succeeded by a blast of fierce vituperation. Fauchet demanded a prompt remedy against the apostles of counter-revolution, "that greatest of impieties," which leads to the dissolution of society, and would "transform mankind into a pack of wild beasts." "See what horrors are perpetrated in the name of God by these detestable tyrants of misguided consciences, and what success they have in inspiring their disciples with fury against their brethren, as if it were the most sacred of virtues! They long to wade in the blood of patriots; that is their familiar expression. Compared with such priests as these, atheists are angels. Nevertheless, gentlemen, I repeat, let us tolerate them; but, on the other hand, let us not pay them for outraging their country. This is the one simple legislative measure which I propose to adopt against them. I maintain that to suppress all payment from the national treasury to the nonjuring clergy is a just, proper, and sufficient step under the circumstances. What claim can they have to pecuniary support from the State when they are doing no service to the State, but rather agitating for the destruction of the laws and the ruin of their country? The law cannot treat these men as ministers of the Catholic religion, the expenses of which

have been placed among the first obligations incumbent on the nation. The only ministers whom it recognises are the functionaries appointed under the Constitution Civile; the law has nothing to do with any other form of worship, except to defend its liberty and protect it from insult. The nation permits all forms of religion, but it pays only one of them, namely, that whose ministers are its official functionaries; none but they are regarded by the Constitution as ministers of the Catholic worship. Why should we saddle ourselves with the maintenance of this army of monks and canons, of abbots and priors and dignitaries of all sorts, who never did anything useful in their lives, who were never distinguished in former days for anything but their affectation, their intrigues, their licentiousness, and who are now notorious for their fanaticism, their abominable conspiracies, and their frantic hatred of the liberties of others? They have encouraged the emigrations, the transmission of treasure beyond the frontiers, and every hostile project that has been hatched against the country. Go, they have said to the ci-devant nobles, go, squander away the silver and gold of France; concoct plans for attacking the enemy from without, while we place at your disposal numberless confederates from within; the kingdom will be devastated and deluged with blood; but we shall recover our privileges!"

Accordingly bishop Fauchet's practical conclusion was to the effect that all salary, pension, and support in any shape should be withdrawn from priests who would not take the oath, excepting the aged and infirm; that no church or public building should be appropriated to the ministrations of nonjurors gratuitously; they were to be allowed, however, to exercise their worship in buildings hired for the purpose. Ecclesiastics accused of disturbing public order were to be prosecuted, and might be condemned to one year or more of imprisonment, according to circumstances.

Fauchet's harangue called forth a well-reasoned reply from one of his colleagues, Torné, bishop of the Cher, who strove to impress upon the Assembly the duty of acting with moderation in the present threatening crisis. To refuse the oath, he contended, was not criminal; this had been declared repeatedly in the most positive terms by men of all parties; and it formed the avowed principle of the wise legislation of the 7th of May. The existing troubles resulted from conflicting opinions in religion, which no decrees of external authority could prevent; nonjurors, therefore, were not culpable in the eye of the law for endeavouring to propagate their doctrines, provided they did so without violence or hostile aggression upon others. They were quite at liberty to be absurd in their belief, implacable in their enmity, unsociable in their dealings with their rivals; but let them take care to avoid all overt acts of sedition, all participation in popular tumult or insurrection; otherwise let them prepare to be visited with the exemplary vengeance of the law. Holding such sentiments, Torné pleaded for complete and unrestricted religious liberty; that nonconformists of all denominations might celebrate their worship in churches or buildings provided at their own cost, with the sanction of the local authorities; that nonjuring priests might say mass and administer other ordinances in all churches without exception, at hours assigned to them by the Directory; that hostile attacks upon religious liberty, coming from whatever quarter, should be impartially prosecuted and punished by the courts of law; that the Assembly should publish an address to the French people, setting forth the perfect conformity of these arrangements with the rights of men and citizens, and with the grand principles of order and public interest.

The House applauded Torné, and ordered his speech to be printed, amid strong indications of sympathy. Fauchet attempted a rejoinder on the 3rd of November, and, in order to support his proposed severities, he described certain events

which had recently passed at Caen. A crowd of two or three hundred women, instigated by their priests, had assaulted a Constitutional curé of that town, a man of the most peaceable disposition possible, had wounded him with stones, driven him violently into his church, and attempted to hang him from the sanctuary lamp in front of his own altar. The National Guard rescued him with difficulty at the last moment. Fauchet maintained with undiminished energy that none should be paid by the State but those who are serving the State according to the conditions prescribed by law; and that the nation had a full right to exact the constitutional oath, as a necessary test of good faith, from all who desired to be employed in public offices.

The next speaker was Gensonné, a Girondist, and one of the joint authors of the report on the state of La Vendée. He recommended, as the result of personal experience in the disturbed districts, that religion should be altogether separated from matters of a civil and political nature. Ministers of the State establishment should be relieved altogether from the duty of registering births, deaths, and marriages, and confined strictly to their spiritual functions. When once they were divested of the character of public functionaries, the laws relating to the constitutional oath might be relaxed, and all restrictions upon the freedom of religious opinion might be removed. "Respect for the liberty of individuals is the surest guarantee of public liberty; and we ought never to cease to be just, even towards our enemies." Gensonné moved, therefore, that a special commission should be named by the Assembly for the purpose of *revising the laws relating to the Civil Constitution of the Clergy*, and preparing a measure by which the ecclesiastical oath might be exchanged for some method *more conformable with the principles of the Constitution and the personal rights of citizens.**

* *Moniteur*, Séance du Jeudi, 3 Novembre 1791.

What must have been the feelings of Camus, Treilhard, and other chief artificers of the late reformation, when they heard such counsels from the lips of one of their own party, and that before a year had passed since their project had been sanctioned by the legislature! What a lesson for self-confident theorists in every age and country, who undertake the remodelling of time-honoured institutions in Church or State, and find to their dismay that their schemes fall to the ground upon the first attempt to carry them out in practice!

The general result of the debate was to discredit the new Constitution in the eyes of the more calmly judging section of the Assembly; and it is highly probable that had a vote been taken upon the motion of Gensonné, the decision would have been in his favour. But tidings arrived at this juncture of fresh outrages in the departments of Maine et Loire and Calvados. Popular indignation again blazed forth against the *insermentés*; the Revolutionists regained the ascendant, and by their means the various projects were referred to the Comité de Législation, with directions to report to the House within a week.

The despatch from the authorities of the Maine et Loire described that department as "overrun by bands of three or four thousand armed men, who gave themselves up to excesses of all kinds under the wild impulse of superstition and fanaticism."* Constitutional priests were attacked and assassinated at the foot of the altar. The country churches which had been closed by order of the Constituent Assembly were forced open with axes, and the nonjuring clergy resumed their functions. The taxes could not be collected because the municipal bodies were in a state of disorganization. Three principal towns of the department had been as it were besieged, and all but demolished; and the priests who were the instigators of these crimes might

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Moniteur, Séance du Dimanche, 6 Novembre 1791.

too probably succeed in the end in bringing about a counter-revolution by means of civil war.

How far these accounts were trustworthy, how far wilfully garbled and exaggerated, it is difficult to determine. It is certainly suspicious that they should have reached the ears of the Assembly precisely at this critical moment, when it was fluctuating between two opposite currents of feeling, and half disposed to listen to the voice which demanded, upon the principles of the Revolution itself, respect for the religious liberties of dissenters. At all events the incident was fatally decisive. The report of the committee, presented on the 14th of November, was conceived in a spirit of moderation, and was for that reason instantly rejected; and this opportunity was eagerly seized by Isnard, a hotheaded democrat from Provence, whose speech may be said to have determined the character of the final stage of the Revolution.

Isnard began by affirming that in the existing state of affairs it was impossible to extend toleration to the non-conformists. The following is the substance of his argument:—"Ministers of religion, of whatever communion, if they become disturbers of the public peace, cannot be classed with ordinary offenders, but must be dealt with more severely, inasmuch as their position gives them powerful means of misleading their flocks, and inflicting injury upon society at large. This principle being admitted, it follows that there must be special legislation for the case of clerical agitators; and the only adequate punishment for such crimes is that of banishment from the realm. Nothing short of this will put a stop to the prevailing disorders. The seditious priest must be separated from his proselytes. If he is punished in any other manner, and withal left at liberty to preach and execute other ministerial duties, he will do more harm to the country than all the rest of its enemies together. Doubtless it is wrong to persecute; doubtless it is a mistake to make martyrs. But to punish

is not to persecute; and the danger of making martyrs arises only when the persons sent to the scaffold are either men of eminent sanctity or *bonâ fide* fanatics, who believe that such a death will infallibly open to them the gates of Paradise. The present circumstances are different: if there are priests who conscientiously disapprove the Constitution, they are not likely to be guilty of offences against public order. Those who conspire against their country are greedy hypocrites, who go about declaring that religion is ruined because they have lost their own rich possessions, or the opportunity of acquiring such. Now men of this character stand greatly in fear of punishment. The love of money makes rogues in abundance; but it never makes martyrs."

"It is useless to attempt to conciliate the disaffected. Indulgent treatment only heightens their audacity. It is time to put an end to priestly fanaticism, which has been in all ages the scourge of society. Modern philosophy has already dealt it a crushing blow, and it will soon be suppressed for ever amid the applause of the universe. The French Revolution cannot be completed without fresh acts of vigour and of justice; in such great emergencies moderation ceases to be prudence, and becomes weakness. Revolt must be extinguished at the moment when it first appears; when the original authors of public disturbances are punished, the mischief is easily stopped; but if the malcontents are allowed sufficient time to multiply their numbers and become powerful, then rebellion raises its head with impunity, and pervades the empire like a torrent which no barrier can arrest. Counsels of indulgence are simply ensnaring at a moment like the present; for if you yield to them, you will find yourselves suddenly abandoned by the greater part of the nation; and when this is the case, anarchy will commence immediately; which, indeed, is the condition to which anti-revolutionists desire to reduce you. The party of the nonjurors, which is identical with that of

the aristocrats, will hate you not a whit the less, whatever you may think proper to do in its favour; while the Constitutionals, supported by all good patriots—that is, by three-fourths, or rather five-sixths, of the nation—will be so indignant at finding themselves sacrificed to their enemies, that they will probably turn round against you in revenge. At all times, but especially in a time of revolution, it is essential that the legislature should be able to count upon the support of the great body of the nation in repressing the attacks of faction; and you cannot secure such confidence unless you chastise with severity the disturbers of public order, to whatever class or party they belong. Do not suppose that I would apply these measures only to tyrants and priests. I would inflict the self-same chastisement upon all fanatics and all agitators. Such, gentlemen, is my profession of faith; the law is my God; I have none other. It is the public welfare alone that interests and inspires me." Isnard concluded by demanding that not only priests, but all French subjects without exception, should be bound to take the civic oath. Those who refused, inasmuch as they were clearly unwilling to accept the social contract of the nation, should be deprived of all public office and emolument; and such persons might, as a measure at once of sound policy and strict justice, be excluded from the soil of France. Finally, the provisions of the law against disturbers of the public tranquillity must be enforced impartially against all offenders, whether they had or had not taken the oath; and in extreme cases, specified by the penal code, such crimes must be punished with death.

A scene of uproar followed. Isnard's friends moved that his speech should be printed. This was energetically opposed by Le Coz, Constitutional bishop of Ille et Vilaine. "To print it," he cried, "would be to print a code of atheism! I maintain, and am ready to prove, that the tendency of M. Isnard's speech is to destroy all morality,

religious and social." He was met by shouts of "No priests!" by loud murmurs, calls to order, and other symptoms of agitation. The motion was put to the vote, and negatived after two uncertain divisions. The House thereupon determined that the Committee should be divided into four sections, each of which was ordered to present a report, so as to express the varying views of parties. This was immediately carried into effect; and on the 16th of November the first of the four reports, prepared by François de Neufchateau, was read to the House, and received with general approbation. It was afterwards carefully considered clause by clause, and was finally adopted on the 29th of November.

The most notable feature in the speech of François de Neufchateau was the attempt which he made (and which could hardly have been made in good faith) to persuade the House that the opposition of the clergy proceeded not from religious motives, but from political disaffection. He pretended that the oath had no reference whatever to religious faith; that it was simply a test of loyalty to the civil government, of submission to established authority, without which society cannot exist. Therefore, he argued, those who refuse it do so not from theological considerations, not from scruples of conscience, or principles of ecclesiastical obligation; they are prompted solely by hatred of the French Constitution.

We have had occasion more than once to expose this insidious fallacy. The clergy refused the oath, not because they were disloyal to the State, but because it included, and was acknowledged to include, a general acceptance of that Constitution of which the Constitution Civile du Clergé formed an essential part. It was a notorious fact that the one engagement involved the other; this had been expressly affirmed by the king himself in the face of the National Assembly. If the oath could have been taken *without* pledging them to the Constitution Civile, the clergy would

have complied willingly; but there were points in the latter which, in their deliberate judgment as priests of the Church Catholic, were wholly inadmissible; and if the admission of these was made a necessary condition of French citizenship, it was clear to their consciences that no alternative remained but to refuse.*

The details of the proposed legislation of the 29th of November are well known. All ecclesiastics hitherto non-jurors were once more summoned to conform. Those who refused were to be deprived of all allowance from the public funds. They were, moreover, to be considered, *ipso facto*, as persons suspected of sedition and revolt. In any place where disturbances might occur, the authorities were empowered to remove them from their ordinary abode; in case of resistance, they were to be punished with a year's imprisonment. Ecclesiastics convicted of exciting others to disobey the law were to be liable to two years' imprisonment. Churches maintained by the State were not to be used by any but the Constitutional clergy; but citizens were permitted to purchase or hire for their own purposes churches not required for the services of the Establishment. This privilege, however, was not to be enjoyed by priests who had refused the civic oath.

Whether the king ought to sanction this decree, or whether he should exercise his veto, became a question anxiously debated at the Tuileries. Louis himself inclined

* The Abbé Barruel states the case very perspicuously: "La Constitution Françoise terminée se trouvoit renfermer précisément toutes les erreurs de la Constitution prétendue civile du clergé. Camus et son comité et ses Intrus les y avoient adroitement insérées. Il avoit même usé de ruse avec l'Assemblée pour y faire entrer celles qui regardaient plus spécialement les Intrus. . . D'ailleurs cette Constitution Françoise renfermoit spécialement les erreurs sur les vœux de religion, sur le mariage, sur le choix des pasteurs. Elle maintenoit, par un dernier article, toutes les lois portées sur la Constitution décrétée pour le clergé. Les ecclésiastiques sentirent qu'en changeant la formule de leur serment, on n'en avoit pas excusé l'hérésie. Un cri général parmi eux annonça qu'ils ne donneroient pas dans le nouveau piège. Le Roi le reconnut comme eux, et sa Majesté refusa sa sanction." —*Hist. du Clergé*, seconde partie, p. 115.

to the latter course; the majority of his ministers, including even Bertrand de Moleville, recommended the former. The decision was very much influenced by a remarkable petition presented to the throne at this juncture by the Directory of the department of the Seine, and signed by the Duc de la Rochefoucauld, president of the department, and Talleyrand. The latter is believed to have drawn up the document. It pointed out in forcible terms the injustice and impolicy of the proposed measure, and its utter incompatibility with the principle of religious liberty. How could any magistrate undertake such inquisitorial and invidious functions towards a particular class of citizens? What right had they to declare certain individuals to be *suspected* of revolt against the law? How could they condemn them upon the mere *presumption* of crime? Tyrannical governments might do this; the Huguenots had been *suspected* under the despotism of Louis XIV.; the primitive Christians were suspected by the Roman emperors; the Catholics were for a long period suspected in England. Any species and degree of persecution might be justified upon such a pretext. "Has a century of philosophy served, then, only to bring us back to the intolerance of the sixteenth century, and that by following the paths of liberty itself? If the nonjuring clergy break the law, or if they incite the people to break it, by all means let them be prosecuted and punished; nothing is more just or necessary; but until that is the case, let their worship be respected like every other form of worship, and let them not be molested on account of their opinions. Since no religion is enforced by law, let no religion be imputed as a crime."

"Such, sire," continued the petitioners, "are the principles which the department of Paris, to its credit, has constantly professed; and to them, we are persuaded, we partly owe the religious tranquillity which we still enjoy. Not that we ignore the existence of turbulent men—of

systematic agitators—whose conversion to patriotic sentiments is perhaps not to be looked for; but it is proved both by reason and by the experience of all ages, that the only way to restrain them is to treat them with impartial justice; and that intolerance and persecution, far from extinguishing fanaticism, only aggravate its excesses." They concluded by entreating the king, in the sacred name of liberty, of the Constitution, and of the public weal, to refuse his sanction to the decree of the 29th of November.*

These arguments, supported as they were by similar appeals from the provinces, were deemed conclusive, and the application of the veto was determined on. The interference of the Paris Directory raised a storm of wrath among the ultra-democrats, who denounced it with the utmost vehemence in the Assembly. Camille Desmoulins, at the close of an inflammatory speech, exclaimed, "The treachery of these members of the Directory is manifest; but do not trouble yourselves about crushing such miserable insects; strike at the head; thunder forth your terrors against conspiring princes; chastise with the rod an insolent Directory; and exorcise with fasting the demon of fanaticism!"† This address and others of like tenor were ordered by the House to be printed and sent round to the departments.

The king notified his veto on the 19th of December. On the next day a member of the Assembly named Delcher rose and argued at great length that the action of the Crown in such a case was inoperative and worthless. The right of veto, he declared, did not apply to decrees which had arisen from circumstances of urgent and imperious necessity, such as those just passed against the emigrants and refractory priests. These latter were not ordinary decrees of civil administration, but had an exceptional character like that of martial law; and it was well known that martial law was

* *Moniteur*, Vendredi, 9 Décembre 1791.
† *Moniteur*, 11 Décembre.

independent of the will and sanction of the sovereign. It was impossible that laws framed to meet a special emergency, relating to particular individuals, and applicable only to certain localities and a certain state of affairs, should be paralysed and nullified by the royal veto. This would be to destroy public liberty, and to abolish the sovereignty of the nation.

Upon such pretexts the Revolutionists soon made it appear that no respect was to be paid to the prerogative which the Constitution had lodged with the Crown for the purpose of checking dangerous or precipitate legislation. The veto was coolly ignored; and the work of persecution, which had been suspended for some months, recommenced almost immediately, especially in the southern and western districts. In the Finistère, where the chief local authority was in the hands of the Constitutional bishop Expilly and his grand vicar Gomaire, the nonjurors were hunted from village to village like wild beasts; many escaped into the forests, but many others were arrested and imprisoned in the fortress of Brest, where they were treated with gross cruelty. The Directory of the Mayenne having summoned all "prêtres insermentés" to repair to Laval, there to remain under strict surveillance, some four hundred proceeded to that city, headed by Mgr. de Hercé, bishop of Dol. Here they suffered great privations and indignities, which often roused the resentment of the well-disposed part of the population. At Le Mans the priests were seized and confined in the buildings of the Seminary, and were afterwards transported to Nantes, a town already of odious fame for the excesses practised without restraint by its barbarous magistrates. "Throughout the province," writes Dom Piolin, "there was not a single nonjuring priest, not one who had retracted his oath, whose life was not in imminent and constant danger. In many places the people, instigated by the restless influence of the clubs, rose as it were spon-

taneously, and whole cantons were abandoned to violence and pillage."* Other departments were disgraced by similar outrages; those of Ille et Vilaine, Manche, La Vendée, Calvados, and especially Puy de Dôme and Cantal, where Thibault, the Constitutional bishop, undertook in person the leadership of this unholy crusade.

The state of the country soon became so serious that the Legislature was compelled to take cognisance of it; and by a decree of the 6th of February, 1792, the minister of the interior, Cahier Gerville, was directed to make a report without delay on the measures necessary towards restoring tranquillity. The report was presented on the 18th. It described with laudable impartiality the criminal proceedings of agitation on both sides, concluding with an animated appeal to the sacred sanctions of religious liberty, which were set at nought, said the minister, with equal audacity by all parties. The priests, he remarked, were too much accustomed to identify their interests with those of the aristocracy. Many of them, no doubt, had acted in good faith in refusing the oath; others had been actuated by different motives. The resistance of some and the compliance of others had produced two rival organisations in the same Church, both having the same priesthood, the same doctrinal tenets, the same liturgy, the same rites, usages, and ceremonies; insomuch that the most scrutinising eye could discern no difference between them. In one locality priests had been imprisoned without any form of legal trial; in another the clergy had married, after publishing their own banns, and had therefore been expelled by the people and the municipal officers. One department had shut up the non-parochial churches upon the ground that the nonjuring priests troubled men's consciences, preached insurrection, and set religion in open defiance of the law. In another

* D. Piolin, *Hist. de l'Église du Mans*, tom. i. p. 252.

the conforming clergy were publicly insulted, and the people clamoured for their forcible removal. "What with fanaticism on one side and persecution on the other, it would seem that toleration had been altogether banished from the kingdom."

As to the measures to be adopted under such circumstances, the minister contended that the truly patriotic policy, the true interest of the nation, was to preserve the Constitution in the form which had been decreed, to defend it, and not to suffer it to be violated in the very slightest degree. "In that course lies the public safety, and it were criminal to seek it elsewhere." "Religious liberty has been more or less violated in all the departments. Magistrates, doubtless with good intentions, have made decrees which the king cannot but condemn as mistaken and vexatious. What does it matter to the State whether a citizen goes to the mass of one priest or another, or whether he goes to mass at all? All that a good Constitution can do is to protect all forms of religion, without showing distinguishing favour to any. There is no national religion in France. Every citizen has the right to practise freely whatever religion his conscience may approve; and it is much to be wished that the time may soon come when every man shall pay for the form of worship which he chooses to frequent. The interests of priests ought not to count for anything in the proceedings of the legislator. The country demands an equitable law, worthy of a place in the code of a free people, and one which shall make it unnecessary to pronounce within this house the words priest and religion."*

The report was received with applause, and unanimously ordered to be printed.

The line of reasoning pursued by Cahier Gerville, however, was manifestly faulty. For if it was the duty of French

* *Moniteur Universel*, Lundi, 20 Février 1792.

citizens, under such circumstances, to uphold and execute the existing Constitution, it was by consequence their duty to maintain the Constitution Civile du Clergé, which was an essential part of it. But if so, how could it be asserted that there was no such thing in France as a national religion? How could it be urged that a good Government ought not to prefer one form of religion above another? or that it was matter of indifference to the State whether a man frequented one ordinance or another? Not only had the State recognised and endowed an exclusively privileged establishment, but it had declared that establishment to be none other than the ancient historical Church of France; had maintained that no organic change had been made in it by the new Constitution; that it was still, what it had ever been, an integral portion of the one Church Catholic, in full communion with the Pope, its visible head. Had there been *no* State establishment, the cogency of the ministers' language was beyond dispute; but as things stood, to plead for absolute liberty in religion was virtually to plead for the abolition of the Constitution Civile. In what sense could priests who declined the oath be said to enjoy liberty, when they were forcibly debarred from officiating in the churches to which their bishops had appointed them, and ministering to the flocks of which they were canonically put in charge?

It was clear that the new Constitution was logically incompatible with real freedom of religious conscience. And in this state of things men's minds began to turn towards the desperate solution of the difficulty which was adopted not long afterwards; namely, the abandonment by the State of all connection with the Church, and the rejection of all national profession of Christianity.

A strange publication which appeared about this time, entitled "Accord de la Religion et des Cultes chez une Nation libre," by Charles Alexandre de Moy, curé of St. Laurent at Paris, illustrates somewhat remarkably the discredit which

had already overtaken the ill-starred Constitution Civile. The author bitterly reviled the Constituent Assembly for having placed the Catholic worship in the first category of public expenses. "Why," he asks, "did they not likewise frame a constitution for the Jews, and for other religious denominations? What could be more inconsistent, more insulting to the nation, than to adopt, in the celebration of its august solemnities, the most intolerant and presumptuous form of religion that ever existed; as if no services could be sufficiently imposing without the ministry of Romish priests!" The Constituent Assembly had made a gross mistake in undertaking to fix the number of bishoprics, as well as the extent and boundaries of dioceses and parishes. "How could its members have failed to see that in so doing they were in reality making the Romish religion the religion of the State? How could they ignore the right of every sect, of each particular communion, to regulate its own discipline and internal details? Do you desire that the religion of Rome shall no longer call itself *constitutional*, that its ministers shall no longer be considered the official clergy of the nation? If so, let the nation cease to nominate them. But who then, you may ask, is to nominate these ministers of the Romish worship? Who is to nominate them? Those who desire to have them. Who nominates the Rabbis of the synagogue? The electoral assemblies? No, the Jews themselves. Well then, leave the parishioners to choose their parish priests, and the parish priests to choose their respective bishops. In this way you will silence those who pretend to be scandalised by your having granted to Protestants, Jews, and citizens of every description, the right of voting conjointly with Roman Catholics at the elections of bishops and parochial clergy." "Lose no time," continued De Moy, who himself held his preferment by virtue of his oath to the Constitution—"lose no time in abrogating this Constitution Civile, which disgraces the religion of the

empire—this monstrous solecism in the sublime code of your laws. It was not sound reason that gave it birth; it was superstition, it was folly, that notable form of folly called Jansenism, one of the thousand and one absurdities engendered by ignorance, fanaticism, and bad faith. If we let it extend its roots further, it is quite capable of sapping and even of overthrowing our Constitution. It is the pedestal of clay subjoined to the French Constitution, which is the image of gold. You perceive what ferment, what confusion, what intestine warfare, reigns at the present moment throughout the departments. Only suppress the sacerdotal leaven which insinuates itself by means of this vile Constitution, and you will at once have peace." *

This production greatly annoyed the Constitutionals. Complaints were made to Gobel, the author's diocesan; but that prelate declined to take notice of the offence. A writer in the "Nouvelles Ecclésiastiques" sharply rebukes him for his silence on the occasion. He "is at a loss to perceive any motive which can justify the bishops for remaining mute in the midst of excesses which they have the power to repress by canonical measures." "Worthless priests, who may imagine that the legal tribunals under the Revolution are ready to throw a shield of impunity over every species of scandal, will find that the law is determined that justice shall be maintained in its integrity, and that it is terrible only to traitors." De Moy, however, who had a seat in the legislature, undauntedly proposed a resolution, in the famous debate which began on the 16th of May, in further development of his project for a separation between Church and State. This, in the perilous predicament in which France then stood, might perhaps have been the wisest policy, and might have averted some of the most hideous crimes for which the Revolution is responsible; but it was opposed by

* De Moy's brochure is to be found in the *Bibliothèque historique* | *de la Révolution*, tom. cxlii., British Museum.

the Constitutionals, who in the event of disestablishment would have lost their preferments and position; and the motion of De Moy was defeated by the previous question.*

Français (de Nantes) had presented on the 5th of May the report of the extraordinary "Committee of Twelve" appointed by the House to deliberate on the general state of the nation. He discussed, at great length, three questions: I. "Is it true that the ci-devant clergy are attempting to resume their status as a corporate body, and to disorganise the new institutions?" II. "Are the ordinary methods of repression sufficient to overcome such efforts of resistance?" III. "What resources can we employ in order to dissolve the last elements of this corporation, which the Revolution has only reduced to quiescence instead of destroying?"

By way of answer to the first question the orator pointed to the various Papal bulls, episcopal mandements, and pastoral letters, to the protests, declarations, and sermons of the clergy, which proved that they were acting in concert upon one homogeneous system, and devoted to one common purpose. He replied to the second query by stating the notorious fact that the nonjurors had laboured with the utmost energy for more than two years past to bring about a counter-revolution, and that not one of them had been legally punished by the arm of justice. And as a solution of the last point, he proposed to inflict on all disaffected priests the penalty of banishment from France; which, however, was to be preceded by a final summons to take the civic oath, and by investing the local authorities with additional powers of action in such cases.

In the course of the debate which followed, the nonjurors were attacked in outrageous language by a bigoted Constitutional priest named Ichon,† who insisted that all the

* *Moniteur*, Séance du Mercredi, 16 Mai 1792.

† Formerly Superior of the priests of the Oratory at Condom.

troubles which agitated the empire were to be attributed to their "fanaticism." The factious sect, he said, if permitted freely to diffuse its poison among confiding minds, would become of necessity a sort of permanent "Austrian Committee," keeping up secret communications throughout France for the purpose of fomenting disaffection and undermining the Constitution. To permit such priests to occupy churches specially appropriated to them would be to perpetuate an organisation diametrically opposed to liberty;* and in that case it would be impossible to carry out the grand scheme of educating the nation upon constitutional principles; it would be hopeless to inculcate publicly the sacred truths proclaimed in the "Declaration of rights." The object of all the new institutions would be frustrated if favour were shown systematically to a Church whose fundamental basis was a conspiracy against freedom and the laws of the Constitution.

Out of no fewer than thirty projects presented to the House one at length obtained the preference, and the decree was finally voted on Sunday, the 27th of May.

By the terms of this monstrous legislation, any nonconforming ecclesiastic might be banished from the realm upon the joint petition of twenty inhabitants of the canton, subject to the approval of the local magistrates. In the case of priests accused of stirring up sedition by overt acts, the denunciation of a single individual was to suffice. Persons condemned to this penalty were to quit their residence in four-and-twenty hours, the department in three days, the kingdom in the space of a month. The authorities were to supply them, if necessitous, with a small sum for their subsistence until they had passed the frontiers. Those who

* "Ce serait faire une fausse application du grand principe de la liberté des cultes, et donner un sens détourné au principe de la tolérance, que de permettre aux insermentés le libre exercice du culte. Si vous leur accordez des temples, vous plantez vous-même l'arbre de l'aristocratie et du fanatisme sur le sol de la liberté."

might resist the sentence of banishment, or return to France without permission, were to be liable to imprisonment for ten years.

The House, at the moment when it adopted this truly Draconian edict, was violently agitated by the first events of the war with Germany, which were unfavourable to the arms of France. The public mind was distracted by rumours of treachery among the generals abroad, and of plots by the court and the aristocrats for counter-revolution at home; added to which, bitter jealousy and dissension were known to prevail among the Girondist ministers then in office. On the 28th of May the Assembly declared itself *en permanence*, and hastily proceeded to enact, in addition to the law of expatriation against the priests, two others, the first of which disbanded the king's constitutional guard, while the second ordained the immediate formation of a camp of twenty thousand "fédérés," recruited from the whole of France, under the walls of Paris.

These measures, considered in conjunction, were ominously significant. Little doubt was entertained that the king, having negatived the previous decree of persecution in November 1791, would take the same course on the present occasion. Indeed, it was probably the object of the Jacobins, both in and out of the Assembly, to drive him to this extremity, as a means towards accomplishing his ruin. Bertrand de Moleville expressly states his own belief that the movement was made "not under any expectation that Louis would sanction the decrees, but in the hope that he would reject them."* The helpless monarch was in a state of mind bordering on distraction. He had never forgiven himself the false step which he had originally taken in accepting the Constitution Civile. He perceived the miserable results of that weak concession, and knew that it was irreparable.

* Bertrand de Moleville, *Mémoires particuliers*, tom. i. chap. xxii.

Nevertheless, now that resistance was too late, he determined to withstand any further progress in the same direction. Having yielded in the former instance, when firmness might possibly have retrieved his fortunes and saved the Church, he was now inflexibly stubborn when stubbornness was wholly useless. It was under these circumstances that Roland, minister of the interior, addressed to him, on the 10th of June, the celebrated letter which led to the disruption of the Girondist cabinet. In a tone of thinly veiled insolence and menace he pressed upon Louis the necessity of frankly identifying himself with the views and will of the nation, and carrying out the Constitution to its full extent, if he wished to preserve his throne. He declared that further delay in sanctioning the decrees might issue in irremediable disaster. The fanatical conduct of the priests had forced the Assembly to proceed against them as disturbers of the public peace; and if that law were not promptly executed, the department would assuredly resort to acts of violence, and it would be impossible to prevent popular excesses. Roland added to the offensiveness of this manifesto by reading it aloud in the king's presence at the council table. This was too much for the patience even of the meek-spirited Louis; and two days afterwards the three obnoxious ministers, Roland, Servan, and Clavières, received their dismissal. Dumouriez, by the king's special request, retained office; upon condition, however, according to his own account, that the two decrees were to receive the royal assent. But he could not maintain his ground against the furious hostility of the ultra-Revolutionists. At an audience on the 16th the general once more besought the king with importunate earnestness to consult his own safety and that of France by yielding to the demands of the Assembly. To resist, he said, was a manifest self-contradiction, after having previously testified his acquiescence by accepting the Constitution Civile. "Yes, I committed a great fault," replied Louis

mournfully, "and I reproach myself for it." "You imagine, sire," continued the minister, "that by imposing your veto you will secure the interests of religion; on the contrary, you will sacrifice them. The priests will be massacred, and you will lose your crown. Perhaps even you yourself, your queen, your children——" He stopped abruptly. The king was much affected, but remained inexorable. Upon this Dumouriez tendered his resignation, which was reluctantly accepted. "God is my witness," exclaimed Louis, pressing his hand, "that I only desire the happiness of France! I expect death, and I forgive them for it beforehand. I thank you for your sympathy and for your services, which I esteem highly; and if I should live to see happier times, I will give you proof of it. Adieu!"*

On the 19th the minister of justice, Duranthon, announced to the Assembly that the king applied his veto to the decrees of the 27th of May and the 8th of June, ordaining the proscription of the refractory priests and the levy of an additional force of twenty thousand federates near Paris.

This, as all readers are aware, was one of the last acts of royal prerogative as exercised by Louis XVI. The Revolution responded to it by the insurrection of the 20th of June. That movement had indeed been for some time in preparation by the agitators of the Faubourg St. Antoine, in anticipation of the king's resistance; but its precise date and details were not determined till the last moment. That its immediate cause was the refusal of sanction to the two above-named decrees is manifest from all the official reports of the event. Isnard, who was an eye-witness of the whole scene at the Tuileries, informed the Assembly that the avowed object of the armed invaders of the palace was to force the king to sanction the decrees, and to recall the "patriot" ministers. He had thought it necessary, he said,

* *Vie et Mémoires du Gén. Dumouriez*, tom. ii. pp. 270–307. Feuillet de Couches, *Louis XVI.*, &c., tom. vi. p. 126.

to address a few words to the insurgents, and had pointed out that if the king were to accede at once to their demands it would be an avowal that he did so under forcible constraint. He had implored them, in consequence, to behave with calmness, and assured them that, without any such popular demonstrations, the Assembly would always take care to uphold justice and maintain their rights.* The king himself, in his proclamation of the 22nd, states that "the deluded multitude, after bursting open with hatchets the doors of his apartment, attempted, with an audacious assumption of the name and authority of the nation, to obtain by force the sanction which his Majesty had constitutionally refused to the two decrees." Violence, he added, to whatever extremes it might be carried, would never extort from him an assent to anything which he judged injurious to the public interest.† And the same fact is attested in the report of the Committee of Twelve, presented to the Assembly after a careful examination of the views and proceedings of all the parties concerned on this memorable day.‡

The 20th of June was, as respects the ancient monarchy of France, "the beginning of the end." A reaction, indeed, supervened, to a certain extent, in favour of the outraged king and Constitution; but it was partial and ephemeral. Pétion, mayor of Paris, was suspended from his functions by the Directory, in consequence of the general belief that he had secretly supported the recent insurrection. But that functionary repaired to the Assembly, and boldly justified his conduct; he was received with acclamations, and invited to the honours of the sitting; and next day it was decreed that he should be immediately restored to his post.§ Within three weeks after this triumphant acquittal, on the 3rd of

* *Moniteur*, Séance Extraordinaire du Mercredi, 20 Juin.

† *Moniteur*, tom. xii. p. 379. *Choix de Rapports*, &c., tom. ix. p. 99.

‡ See, for further details, Louis Blanc, *Hist. de la Révolution*, tom. vi. p. 439.

§ *Moniteur*, Séance du 13 Juillet, 1792.

August, Pétion made his appearance a second time before the legislative body, at the head of a disorderly multitude representing the lowest dregs of the Parisian populace, and demanded in plain terms the dethronement of Louis. In like manner the grotesque incident known as the "baiser Lamourette," which for a moment seemed to promise a return to the principles of constitutional order and national reunion, proved simply illusory. Four days afterwards came the startling proclamation, "La patrie est en danger!" and this again was the signal which called to arms the terrible legions of "Fédérés," or "Marseillais," and marshalled them under the banners of the Revolution, nominally for the purpose of expelling foreign invasion, but in reality to complete the overthrow of the throne of France.

The latter consummation was reached on the fatal 10th of August;—a day of which the events are too familiarly known to need recapitulation here.

We have thus seen Louis XVI., amid many mistakes, weaknesses, and inconsistencies, identifying himself in the main, throughout this perilous struggle, with the cause of the Church, and falling at last in obedience to what he deemed the paramount dictates of religious duty. It is not surprising, therefore, to find that the catastrophe of royalty brought with it a fresh outburst of ferocious hostility against the orthodox clergy. The Assembly ordered, without losing a day, that the decrees which Louis had declined to sanction should have the force of law; and the minister of justice was instructed to seal them officially, the previous consent of the Crown being no longer held necessary. * Thereupon immediate measures were taken for carrying into effect the law passed on the 27th of May for the wholesale transportation of nonjurors. The Assembly, on the 26th of August, "considering that the troubles fomented by the *prêtres non-*

* *Moniteur*, Séance du Vendredi, 10 Août.

assermentés are one of the foremost causes of the danger of the country, and that at such a moment, when Frenchmen have need of union and of all available resources in order to repel foreign invasion, it is the duty of the authorities to make all possible provision for the maintenance of internal tranquillity," passed a decree in twelve articles,* enjoining all ecclesiastics who had failed to take the civic oath, or who, having taken it, had subsequently retracted, to quit the kingdom within fifteen days. Those who might be found refractory after the lapse of that interval were not to be allowed to choose their place of exile, but were to be conveyed to French Guiana.

A few voices, among them that of Vergniaud, were raised against this infamous edict, but wholly without effect; and the Commune of Paris, under the dictation of Danton, Robespierre, and Marat, undertook that it should be executed without a moment's delay. It was now that the plot was framed by the "Comité de surveillance" for ridding France for ever of the opponents of the Constitution Civile, not by banishment (from which it was feared they might find means to return), but by the shorter and surer method of deliberate massacre. During the night of the 29th, domiciliary visits were made throughout Paris; about three thousand persons of various classes were arrested, and the prisons were filled to overflowing. On the 31st, Tallien terrified the Assembly by announcing that "the refractory priests were in custody, and that within a very few days the soil of liberty would be purged of their presence." † The tidings of the progress of the invasion, and of the fall of Longwy and Verdun, which reached the capital at this moment, exasperated the public mind still further against the unhappy prisoners; and they were now preposterously charged with having conspired

* *Prudhomme, Révol. de Paris*, No. 164. p. 409.

† *Moniteur, Séance du Vendredi*, 31 Août. Lacretelle, tom. ix. p. 295. Michelet, *Hist. de la Révolution*, tom. iv. p. 104.

with the enemy to deliver up Paris to violence and devastation. Danton seized the opportunity, and shouted from the tribune that "the tocsin which was about to sound was the signal for a general onslaught upon the enemies of France;" and the Assembly forthwith denounced the penalty of death "against all who might either directly or indirectly oppose or impede the orders given or the measures adopted by the provisional executive." Thus even the generous instincts of patriotism were to be sullied and degraded by being identified with the horrors of legalised assassination.

The premeditated massacre commenced on Sunday, the 2nd of September; when twenty-three priests, who had been confined at the Mairie under pretence of providing them with passports to leave the country, were transferred by order of the Commune to the prison of the Abbaye, and there barbarously slaughtered.* The ruffians next hurried to the church of the Carmelite convent in the Rue Vaugirard, which served as a prison for about one hundred and eighty of the destined victims. One hundred and fifteen were there massacred in less than two hours. Among them were the saintly Archbishop Dulau, of Arles; the two brothers De la Rochefoucauld, bishops of Beauvais and Saintes; Hébert, superior of the Eudistes and confessor to Louis XVI.; Father Lenfant, the celebrated ex-Jesuit preacher; and Després, vicar-general of Paris.

The sufferers met death with admirable fortitude and heroism. Nothing short of profound faith in their principles, and in the paramount claims of the cause which they represented, could have sustained them under this appalling ordeal. In most cases life was offered them on condition of accepting the constitutional oath; but they resolutely refused. Sixteen of the prisoners at the Carmelites, it appears, were spared by the assassins, and afterwards set

* The benevolent Abbé Sicard was saved, with two of his friends, by the humane interference of a watchmaker named Mounot.

at liberty by the officers of the Commune; fourteen others contrived in different ways to make their escape.*

On the following day, September 3, the torrent of blood flowed afresh at the Seminary of St. Firmin, where nearly one hundred priests were in close custody. Seventy-nine were put to death; fourteen were spared. Others suffered at the prison of La Force. Six were burned alive, with circumstances of fiend-like cruelty, on the Place Dauphine.

The whole number of priests immolated at Paris during these dreadful days of September has been variously estimated. Some accounts raise it as high as four hundred; but this is undoubtedly in excess of the truth. The recent researches of M. Mortimer Ternaux prove that the sum total must be reduced to something less than three hundred. His testimony is likewise decisive upon another point, namely, that the massacre was not the result of any accidental collision or unforeseen effervescence of popular passion, but was minutely arranged and organised beforehand by persons in authority.†

Various provincial towns were disgraced by similar scenes of bloodshed. Seven priests were assassinated at Meaux; six at Reims; three at Lyons; four at Couches, near Autun. Castellane, bishop of Mende, was among the prisoners of the high court of Orleans who were put to death at Versailles on the 9th of September.

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* See the official return made by Daubanel, secretary of the Section of the Luxembourg. M. Sorel (*Le Couvent des Carmes pendant la Terreur*, p. 179) makes the total number forty-four. This included several laymen.

† See the extracts from the official registers of the different Sections of Paris; Mortimer Ternaux, *Histoire de la Terreur*, tom. iii. pp. 476 *et seq.*; also the Comte de Carné, *Études sur l'histoire du gouvernement représentatif*, tom. i. p. 194. The Abbé Barruel, writing to Cardinal Zelada, Secretary of State at Rome, on September 26, adopts the calculation then generally current: "Dès le 1er Septembre nous comptions dans Paris seulement trois cents prêtres, et deux évêques et un archevêque, immolés par nos barbares sur l'autel de la foi, pour n'avoir pas voulu prêter le fatal serment. Les jours suivants, environ cent cinquante partagèrent le même honneur; on m'assure aujourd'hui que leur nombre se monte en tout à cinq cents dans cette même ville." He goes on to state that the number of clergy doomed to exile for the same cause must be reckoned at fifty or sixty thousand. Fifteen hundred had already taken refuge in London, among whom were thirteen bishops —Theiner, *Doc. Inéd.* tom. i. p. 367.

The ci-devant Carmelite Convent remains at this date (1880) in much the same state externally as at the time of the massacre. An important institution has been founded there under the title of "École des hautes études ecclésiastiques," which is directed by the Congregation of St. Sulpice. The garden has been partially demolished by the works of the new Rue de Rennes. A very large collection has been formed of the remains of the bishops and clergy murdered here in September 1792; these are deposited in the crypt beneath the sanctuary of the church. The altar in the crpyt, and the pavement in front of it, were removed from the "Chapelle des Martyrs," a small oratory which stood in the garden on the spot where many of the priests met their death; stains of blood may still be plainly traced upon the stones. Around the walls are arranged large panels of black marble, upon which the names of all the victims are recorded alphabetically in gilt letters, a separate space being reserved for those of the three prelates, Archbishop Dulau and the bishops of Beauvais and Saintes. Below is the text, "Beati estis cum maledixerint vobis, et persecuti vos fuerint, et dixerint omne malum adversum vos mentientes propter me; gaudete et exultate, quoniam merces vestra copiosa est in cœlis; sic enim persecuti sunt prophetas qui fuerunt ante vos."

CHAPTER VII.

THE Legislative Assembly, immediately after the deposition of Louis XVI., took a step which produced a complication of embarrassment and divided opinion among the Catholic clergy. Royalty having been abolished, it would have been absurd to retain an engagement of "fidelity to the nation, the law, *and the king*." The House therefore altered its terms, and decreed that henceforth members should bind themselves "to maintain to the utmost of their power liberty and equality, or to die at their post." A few days later it was ordered that this same oath should be taken by every citizen receiving a stipend or pension from the State; and finally the obligation was extended to all public functionaries.

An anxious question at once followed: Could this engagement be conscientiously accepted by those who had hitherto been nonjurors? In one respect it had an obvious advantage over the original oath; it contained no direct mention of the Constitution, and ignored, by consequence, the "Constitution Civile du Clergé." For all that appeared on the face of it, it might be no more than a test of adhesion to the *political* principles of the Revolution, without reference to ecclesiastical concerns. Many of the leading clergy viewed it in this light, and pronounced it fairly admissible. The most distinguished of these was the Abbé Emery, then one of the Vicars-general of Archbishop de Juigné, administering the diocese of Paris. No man was more highly

or more justly respected than Emery, both for soundness of judgment and for steadfast devotedness to the cause and work of the Church. It seems that he was not disposed at this moment to declare himself categorically upon the point at issue, preferring to wait until directions had been issued by the bishops, or (if it might be) by the Pope himself. But circumstances made it necessary for him to act without delay. He was a representative man; his advice was urgently demanded by a multitude of his brethren, who, unless they could conscientiously take the prescribed oath, had no alternative before them but that of perishing by starvation, or being transported to the pestilent shores of Cayenne. If such men were to be sacrificed, the consequences might be ruinous to religion and the national Church; and Emery therefore exerted himself earnestly to establish the correctness of his own interpretation of the oath. In order to this he applied to those who had had the principal share in passing the decree in the Assembly, and to some of the chief officers of the executive; and had the satisfaction of learning on their authority that the measure was purely political.* The terms "liberty and equality," he was assured, were to be understood in the sense of a repudiation of despotic government, and of invidious privileges confined to a particular class. Upon this the Abbé took the oath without further hesitation; and was followed by the vicars-general his colleagues, by all the members of the Company of St. Sulpice except one, and by the majority of the parochial clergy of Paris.

Among the many publications which appeared on this subject was one by De Bausset, then bishop of Alais, and afterwards Cardinal; who states that "all the Catholic

* Such, in particular, was the reply made by Gensonné, who had been the *rapporteur* of the decree, and expressed himself much astonished by the doubts and scruples to which it had given rise. See the *Life of Bishop Frayssinous*, by Baron de Henrion, tom. i. p. 17.

prelates remaining in France, to the number of fifteen or sixteen, were of opinion that the oath in question was perfectly lawful, and in consequence complied with it. Other archbishops and bishops, who were on the point of emigrating, took the same course before their departure; and some of those who were already refugees abroad expressed their approval of this policy, particularly the archbishop of Paris and the bishop of Langres,* who resided at Constance."

Unfortunately, however, the clergy were by no means unanimous as to the character of this new obligation; nor is it surprising that to many minds the objections to it should have appeared insurmountable. The exiled ecclesiastics, more especially, who, being at a distance from the scene of action, could scarcely be fair judges of the prevalent state of feeling in the capital, took an opposite view, for the most part, to that of their brethren at home. The new oath, although its terms were not explicitly offensive, was self-condemned in their eyes on account of the quarter from which it proceeded. They abhorred the regicide Convention, and shrank from recognising its authority by even the most indirect and qualified act of adhesion. Among those who took this line was one whose name commanded widespread influence, Bishop de Bonal of Clermont. He was supported by the bishops of Poitiers, Meaux, Châlons, Gap, Sisteron, Lausanne (administering the diocese of Besançon), and others. But the person who displayed the greatest energy in asserting the unlawfulness of submission was the Abbé Maury, who had lately quitted France for Rome on the invitation of Pius VI., and had been raised to the dignity of archbishop of Nicea *in partibus*. That prelate, being appealed to for his opinion, replied, with his usual impetuosity, that the oath was altogether unjustifi-

* César Guillaume de la Luzerne, one of the most distinguished of the French prelates, afterwards Cardinal and Peer of France.

able; that it was even more impious, more execrable, more perfidious, than that exacted by the Constituent Assembly. The original oath was simply heretical; but the present sanctified rebellion dissolved the most sacred engagements, destroyed all authority spiritual and social, and countenanced the most culpable principles and actions. Its perfidiousness, he added, was only too manifest from the fact that so many men of high moral and mental excellence had already been led astray by it. Maury urged, moreover, that although it was possible to interpret the words liberty and equality in an unobjectionable sense, it was plain that they bore a very dangerous one in the minds and intention of those who imposed the test; and that it was impossible for those who had sworn allegiance to their legitimate sovereign to undertake to maintain laws passed by a body which was in open and determined insurrection.

The Abbé Emery felt bound to reply to the archbishop, in order both to vindicate his own conduct and that of his brethren of the Congregation of St. Sulpice, and for the purpose of placing the state of affairs in France in a clearer light at Rome, where it seems that little was accurately known upon the subject. His letter is of great length. He mentions at the outset the fact that the priests who were imprisoned and afterwards martyred at the Carmelite convent had repeatedly discussed the question of the oath; that at first the almost universal impulse had been to reject it; but that the contrary sentiment had gained ground, and that on the day of the massacre a considerable number of the prisoners were convinced that it was not unlawful. The same feeling was shared by the captives at St. Firmin, among whom were nearly all the doctors of theology of the Maison de Navarre. "I heard this," says Emery, "from the lips of two ecclesiastics who escaped the massacre." He proceeds to argue that the terms "liberty and equality," taken in a political sense, cannot be reasonably objected to, and might

be accepted even under a monarchical government. "Political liberty signifies simply the condition under which the law is supreme, and no man is governed by any purely arbitrary will. Most certainly liberty is not to be understood to mean licence, anarchy, independence of all law; and this is obvious from the phraseology of the oath itself, which speaks of maintaining the security of property and the just execution of the law. Again, political equality is not to be regarded, even according to the views of the Assembly, as implying either equality of fortune or equality in authority, and excluding all recognition of superior and inferior. We need not understand anything more than the equal distribution of public burdens among all citizens without privilege of exemption, and a general admissibility to all employments and dignities, without bar to any man on the score either of birth or of poverty. Liberty and equality, thus expounded, are surely unexceptionable."

As to the plea that the terms of an oath must be accepted in the sense of the authority imposing it, the Abbé observes, in the first place, that it is at least doubtful whether the Assembly did not intend the terms in question to be taken in the sense which he had just specified; and secondly, he denies that the intention of the legislature is the proper rule of construction in such cases. The actual terms are alone to be considered, unless it should so happen that the intention is expressly formulated in those terms. If the framer of a law neglect to declare himself intelligibly, he has no one but himself to blame when he finds the purpose of his legislation frustrated.

That mischief had arisen, and would arise, from the controversy among the clergy on this point, Emery acknowledged with regret, but submits that this is not so much the fault of those who have taken the oath as of those who refuse it; for priests of the latter class had gone so far as to forbid the faithful to frequent masses celebrated by

the former, and to resort to them for confession; thus rashly taking upon themselves to anticipate the judgment which might be pronounced by their superiors or by the Holy See. Such conduct was highly reprehensible, since there was no difference of fundamental principle between the two parties; those who accepted the oath were quite as strongly opposed to the Constitution Civile du Clergé as any of their brethren; they were not inferior to them in attachment to their lawful superiors, in abhorrence of the intrusive clergy, in reverent submissiveness to the Holy See. "For my own part," he continues, "I am persuaded that if all Catholics could have agreed to take this last oath in the favourable sense of which it is susceptible, the Church of France would have been saved, or at least would have gained breathing time; the intruders would have been mortified and disconcerted; they would no longer have had any pretext for holding up Catholics to public odium as enemies of their native country, abettors of despotism, opponents of every species of liberty and equality. Of course it is possible that this oath might be abused, and pointed to as a justification of culpable acts; but the abuse of a thing is no sufficient warrant for its condemnation." He adds, in conclusion, that if the Holy See should think proper to condemn the oath, there can be no doubt that all orthodox priests who have taken it will dutifully submit to its authority.

Archbishop Maury, by way of response to these arguments, attempted to overrule the opinion of Emery and his friends by asserting that the judgment of the Pope himself was adverse to it, and that his Holiness was about to declare publicly to that effect. "It was the Pope himself," he writes on the 13th of March, 1793, "who informed me, on my return from Germany, that you had taken the new oath, and he was pleased to speak of it with regret, expressing much interest both for yourself and all your congregation. I then placed your letter before him, which he confuted

while reading it through with me. He directed me to reply to you; he desired to see my letter, and said, when he returned it to me, 'Let it go; M. Emery will easily comprehend that, in the position which you hold, you would not have taken upon you to write it without previous communication with us; and it is well that he should know what we think upon the subject of this oath.' It is possible," adds Maury, "that the Pope, not having as yet been appealed to by the French bishops, and dreading the danger of a division through the act of condemnation which seems to me determined on in his own mind, may charitably postpone his judgment under such circumstances. I know how much it would cost him to pass a severe sentence, however unavoidable, upon these good priests, whose intentions he appreciates while he disapproves their pusillanimity." In another letter, addressed to the emigrant bishops at Freiburg, Maury declares that the conformists to the second oath are looked upon at Rome as public offenders; that the brief of the Sovereign Pontiff will appear shortly, and that he (Maury) and the bishop of Vence have been commissioned to prepare the materials for drawing it up, which will be submitted to the Pope without delay.

"It is very doubtful," observes the biographer of the Abbé Emery, "to say nothing more, whether these assertions of the archbishop of Nicea are agreeable to truth; and the manifold proofs which he has given on other occasions of habitual levity of language are only too sufficient a warrant for mistrusting his most positive affirmations. One thing is certain, that Cardinal Zelada, the Pope's minister, being himself consulted about this letter of archbishop Maury to M. Emery, replied, about the middle of May 1793, that the Pope had never pronounced upon the oath in question, and that, if it was purely a civil engagement, it might be lawfully taken. Sensible persons, he added, ought not to rely upon what a private individual may say speaking merely from his

own impressions, but should wait for what may be notified by the only authority which is competent to decide such a subject. To anticipate that judgment is altogether useless." The Pope, it appears, never passed judgment formally upon the subject in debate.

Father Theiner has extracted from the Vatican Archives a series of questions propounded to his Holiness and a select congregation of Cardinals, with the replies, among which we find the following. "Question XII. What penalty is to be inflicted upon ecclesiastics or upon laymen who have taken the oath to maintain liberty and equality? Answer.—There is no ground at present for any canonical penalty in such cases, our most holy lord having not yet made known his judgment concerning the aforesaid oath; but both clergy and laity who have taken it must be admonished to consult their own consciences, since it is not lawful to swear while in a state of doubt." A similar reply was given to an inquiry in July 1794 as to the obligation of retracting the oath. The Pope intimated on that occasion that persons who were disposed to conform should be careful in their dealings with conscience, since it was not right to take an oath while under the influence of doubt; but that, the Holy See not having yet pronounced as to the lawfulness of the oath itself, no one could be bound in duty to retract it.*

The result was that the oath to maintain "liberty and equality" was accepted to a great extent throughout France; and the Abbé Emery's conduct was amply justified by the advantage which the orthodox clergy thus acquired in the exercise of their ministry. In many departments the blessings of religion were thus preserved to the faithful, whereas if a different course had been followed they would assuredly have been deprived of them. On the other hand, this fresh dispute intensified the schism which had already torn

* *Vie de M. Emery*, tom. i. pp 306–334.

asunder the bonds of Catholic communion in France; and the Church became a scene of strange confusion. Cases occurred in which the two oaths were confounded together, and the ministrations of orthodox priests were rejected because they were supposed to be adherents of the Constitution Civile. Again, many of those who had taken the first oath refused the second; and as the latter was rigorously enforced, they lost the benefit of their position as conformists to the Constitution, and were persecuted and punished as nonjurors. The clergy might now be classed in four different categories. Some had taken both the oaths, some had rejected both; some had taken the first and declined the second, others had resisted the first while they complied with the second. This anomalous state of things produced at all events one desirable effect. The Constitutionals began to view the march of the Revolution with more enlightened eyes, and to trace the horrors of the September massacres, and other brutal cruelties perpetrated with the sanction or connivance of the Government, to their real source, namely, the infatuated legislation of the Constituent Assembly. A strong revulsion of feeling ensued; and the Establishment of 1790, disgraced as it was by such hateful memories, declined rapidly in credit and authority. Retractations of the Constitutional oath became frequent, and a large proportion of those who suffered under the law of proscription consisted of priests who had renounced the schism and made their peace with the Church.

The Terrorist administration soon made it clear that neither the original oath nor the subsequent engagement to maintain "liberty and equality" was any real protection against the excesses of republican despotism. The Abbé Emery, in spite of his act of recent submission to the law, was suddenly arrested and imprisoned, in May 1793, on a charge of "*incivisme*," arising chiefly from a correspondence with the Abbé Edgeworth de Firmont, the courageous priest

who had ministered to Louis XVI. in his last hours. Emery's first detention lasted only six days; but a few weeks afterwards he was denounced a second time, and the "Comité de Sûreté Générale" ordered him to be arrested "with all his adherents." He was committed to the Conciergerie, and Fouquier Tinville, the public prosecutor, was directed to take measures for arraigning him before the Revolutionary tribunal. "This is a case," said the Committee, "which requires to be very carefully handled. It involves the unmasking of some priests, and the exposure of their plots concealed under the veil of a mock religion, which concocts its mysteries of iniquity in the impenetrable secresy of the heart." The Abbé was summoned before the court on the 14th of August, and underwent a severe examination. Being asked why he had not taken the oath to the Civil Constitution of the Clergy, he replied that he did not consider himself bound to do so, inasmuch as at the time when the oath was demanded he was no longer exercising the functions of Superior of the seminary of St. Sulpice, the members of which had dispersed in different directions. Next he was questioned as to an intercepted letter from the Abbé Edgeworth to the archbishop of Paris, which he had undertaken to forward to its destination by means of his brother, an officer of the National Guard in the department of the Ain. This letter was stated to be "entirely contrary to the principles of the Revolution," and to have "a tendency towards reasserting the ancient privileges of the clergy." The prisoner answered that he had no knowledge whatever, before the commencement of proceedings against him, of the contents of the letter in question; upon which he was reminded of his own words in transmitting it to his brother, that "it was the most innocent correspondence in the world"; implying, of course, that he was acquainted with its tenor. Emery declared that he had not read the letter, but that nevertheless he felt warranted in vouching for its innocence, from the entire confidence which he reposed in

the integrity of the writer. He urged, moreover, that in the passages objected to there was nothing more than might naturally be expected on the part of an ecclesiastic who had declined to subscribe the Civil Constitution of the Clergy.

Other suspicious extracts from his correspondence were produced, which Emery explained without difficulty. The last charge against him was that of having transmitted money to foreign parts, to be used, possibly, for the benefit of the enemies of France; the pretext being that he had despatched some necessary funds to the lately founded Seminary at Baltimore in the United States of America, which locality the Republican magistrates thought proper to mistake for the town of the same name in Ireland. The Abbé pointed out that, under the existing circumstances of the war between the two countries, it was not likely, and scarcely possible, that French merchant ships should be employed in transactions of that character with any port in the dominions of the British crown.

He was now remanded to his prison, and ordered to prepare his defence for a future hearing. Day by day he lived in anticipation of a final summons to the bar of the tribunal, and in the conviction that it would result in his condemnation to the guillotine. He wrote farewell letters to his relatives and friends, and one especially, of remarkable pathos, to M. Nagot, superior of the new Seminary at Baltimore. There is no doubt that his life was for many weeks in imminent peril. Fouquier Tinville and other Government functionaries were well aware of his influential position and character, and had resolved to sacrifice him to their hatred of the great cause of which he was a leading representative. But the Abbé was not without friends on the benches of the Convention, nor were there wanting those who ventured to plead privately in his favour even with the judges of the Revolutionary tribunal. They succeeded, by various stratagems, in withdrawing his name from the daily list of

prisoners appointed to undergo their trial; and the further examination in his case was adjourned from time to time, until at length the atrocities of the Reign of Terror were finally arrested by the fall of Robespierre.

The reader's attention has not been detained without sufficient reason by the foregoing particulars in the life of a single prominent individual; for the truth is that in this instance, as in so many others, the history of the Church at some memorable crisis, or under exceptional circumstances, depends for its full illustration upon the light derived from one indispensable biography. The career of the noble-hearted Emery was eminently of this character as regards the great battle of the Gallican Church with the infidel Revolution; and no part of it is more instructive than that which was passed in the prisons of Paris in defence of persecuted truth. Here he was met by a manifestly Providential call to minister to unhappy fellow-captives of all classes,—a task which he fulfilled with exemplary zeal, consummate judgment, and signal success; so that the record of his services forms one of the few bright pages in the Revolutionary annals. It is evident that the work thus entrusted to him must have been one of no ordinary delicacy and difficulty. The prevailing tone among the prisoners was that of flippant levity or unseemly bravado. Many of them had led dissipated lives; many were infected by the fashionable scepticism of the day; many were hardened unbelievers. Some cases required the most elementary instruction; others, conversion from dangerous error; while the succours and consolations of religion were alike necessary for all. It was the custom that one of the company should be chosen by vote to act as president, and preserve order; Emery was appointed to this office, and employed the influence with which it invested him for the most benevolent purposes. He spared no pains to awaken serious religious feeling in the minds of those who were about to take their trial before the tribunal; and in a

large proportion of cases his efforts were rewarded by seeing them brought to a state of penitent reconciliation with God. Such was the reverence in which he was held even by the officers of the prison, that they allowed him to frequent the separate chamber in which those under sentence of death were confined during the night before they suffered; "and it would be difficult to say," wrote one of his confidential friends, "how many of these victims passed out of the world with joy, being enlightened, supported, and restored to peace with God through his zealous labours. I have seen many of them kiss the very gallery through which he had passed, in token of gratitude and veneration." *

F. Theiner has printed in his collection † a letter addressed by the Abbé Emery to Pope Pius VI. fully detailing the results of his remarkable experience during the seventeen months of his sojourn in the Conciergerie. He states that in the course of this long imprisonment he had been a witness of almost all the condemnations to death that had taken place since the erection of the Revolutionary tribunal; and that with regard to those who belonged to the upper classes the great majority had thankfully availed themselves of the ministrations of religion before their execution, had confessed, and exhibited the most heroic resignation. "But what will specially console your Holiness," he continues, "and what I can attest with the utmost confidence, is that the Constitutional priests, great numbers of whom have perished, before making their appearance at the tribunal repudiated the oath which bound them to the Constitution Civile, and urgently entreated to be reconciled to the Church; all of them protesting that they had never ceased to believe and to acknowledge the primacy of the Holy See. One of the intrusive bishops, the most distinguished of his class for theological knowledge

* *Vie de M. Emery*, tom. i. p. 360.

† Theiner, *Doc. Inéd.* tom. i. p. 439. The letter, as given by Theiner, is dated 14 Octobre 1792; but this is evidently a misprint for 1795.

and talent, three days before his death retracted his oath, drew up his abjuration in the form of an *amende honorable*, deposited it in my hands, and requested that it might be laid before your Holiness at the earliest moment consistent with my safety. This was the bishop of Lyons (Lamourette). I cannot give your Holiness the same positive assurance of the repentance of the intrusive bishop of Bayeux, the famous Abbé Fauchet, because some days before his death he was removed from the chamber in which he was lodged with me, and placed in secret confinement; but from what he began to confide to me as to his sentiments, and from his subsequent conduct, I can have little or no doubt of the result. The day but one before his condemnation, as he was crossing the court on his way to the tribunal, he disengaged himself from the gendarmes in order to approach me and ask the benefit of my prayers; and the next day, when he knew that he was about to receive sentence, he again stepped aside from the guards to entreat me to give him my benediction; and he very well knew what were the conditions upon which alone he could obtain it." Emery proceeds to mention two other schismatic bishops, Montault of Poitiers and Savines of Viviers, who had shared his captivity, and had survived the Terror; both had under his guidance given edifying proof of compunction for their error in adhering to the Constitution Civile, and signed an act of recantation.

While dwelling on the Abbé Emery's reminiscences of these pathetic scenes of his prison life, we have anticipated to some extent the historical order of events. The spirit of the Revolution, after the establishment of the National Convention, became more and more savagely hostile to the Church. The existing edicts of proscription against non-juring priests were surpassed in ferocity by those of the 17th of March, the 21st of April, and the 23rd of October, 1793. It was now ordered that the nonconformists who might be arrested abroad should be tried by a military com-

mission, and shot within twenty-four hours, if they were bearers of foreign passports, if their names were found in the list of emigrants, or if they bore about them any "counter-revolutionary badges." Those apprehended in France were to be in like manner executed within twenty-four hours, if recognised by any two witnesses as belonging to the class already sentenced to transportation. A further decree provided that even after having satisfied all the present requirements of the law, they might still be denounced and arrested upon the indefinite charge of "incivisme," at the caprice of any six inhabitants of the canton, in which case they were to be transported without delay to the west coast of Africa. Those who had sought concealment were enjoined to report themselves within ten days to the authorities of their department; and if found at large on French territory after that space, were to be tried before the criminal tribunal, and punished with death. Finally, this detestable legislation went so far as to require all citizens to denounce priests whom they knew to be liable to transportation, and deliver them up to the police; a reward of one hundred francs being offered in each case. And any person who might harbour or conceal a priest under such circumstances was declared subject to the same penalty.*

The sentence of transportation was executed with unparalleled cruelty. Priests were arrested in great numbers in every part of France, treated like common felons, and hastily conveyed to the coast, where it was intended to embark them for the swamps of French Guiana, or the desolate forests of Western Africa. This, however, was found impracticable, as the English cruisers held command of the navigation in almost every direction; and in consequence the prisoners were incarcerated on board a few

* *Moniteur*, le 2 du 2e mois, l'an 2 de la Rép. Fr. (Mercredi, 23 Octobre 1793, vieux style). Delbos, *Histoire de l'Église de France*, tom. ii. p. 302, *et seq.*

small transports in the roads of Aix, off Rochefort, where they were subjected to every species and degree of suffering short of actual death. They were deprived of the most ordinary comforts; their breviaries and books of devotion were taken away; their food was loathsome; they were surrounded by criminals of the worst description, who shocked their ears by blasphemous imprecations; and it was not long before they were attacked by pestilential disease, which carried off six hundred victims, two-thirds of the whole number, in the space of less than a year. Three or four perished every day, amid the vociferous exultations of their villainous gaolers. The recital of what was endured by those who survived to reach the shores of America is fraught with details of inconceivable horror.*

In grateful contrast to such repulsive cruelties, the annals of the time abound with testimonies of the large-hearted benevolence evinced towards the persecuted clergy of France in every country of Europe to which they fled for refuge. About two thousand succeeded in reaching the Pontifical States, where Pius VI. received them with unbounded charity. Vast sums were assigned for their maintenance out of his private treasury; at Rome they were welcomed as guests in the convents, and in the palaces of the Cardinals; and every episcopal city furnished an asylum for a greater or less number of refugees, according to the extent of its means. Barruel has preserved a remarkable narrative of the generosity displayed on this occasion by the bishops of Spain.

"The bishop of Valentia," says the correspondent from whose letter he quotes, "has in his palace nearly two hundred ecclesiastics, for whom he provides entirely at his own expense. Our priests strive to express to him the sentiments of warm gratitude which his conduct inspires; but his only

* Jauffret, *Mémoires de la Religion à la fin du XVIII^e siècle*, tom. i. pp. 340–453.

reply has been to inscribe over the doors of all the apartments St. Paul's admonition, that a bishop must be 'given to hospitality.' The bishop of Siguenza has taken more than a hundred into his house, besides those whom he has established in great numbers in different parts of his diocese; and he provides equally for the wants of all. The chapter of Zamora has undertaken the charge of fifty exiles during the whole time that the persecution may last. The chapter of Leon has clothed more than a hundred, and maintains them entirely. The bishop of Pampeluna would have been quite unable to meet the expense he has incurred were it not that several neighbouring prelates have seconded his exertions by sending him large sums of money. The Cardinal archbishop of Toledo, the wealthiest of the Spanish prelates, is one of the most munificent protectors of our clergy; he feeds and supports five hundred." * Great liberality was shown by the inhabitants of the Austrian Netherlands; and such was the hearty zeal manifested in Switzerland, among a population by no means affluent, that numbers of young persons of both sexes were known to withdraw of their own accord from the paternal home, and even to engage in domestic service, solely for the purpose of enabling their parents to offer shelter and support to some of these famishing wanderers from France.

But it must be recorded to the perpetual honour of the British nation, that nowhere was charity towards the persecuted Gallican clergy exercised so lavishly and systematically as in Protestant England. The abbé Barruel gives a graphic picture of the feelings by which he and his countrymen were animated on reaching our shores. "For more than three years past all whom they had seen bore on their countenances the pallidness of fear, the suspiciousness of treachery, the sombre symptoms of mistrust, or the wild

* Barruel, *Histoire du Clergé*, part ii. pp. 339–42.

passions of hatred, fury, and revenge. Now they beheld Englishmen peaceably strolling on the sea-shore, with calm expression, full of security as to everything that surrounded them; and they said one to another admiringly, These people are tranquil; they are not afraid; they neither tremble for themselves nor inspire terror to others. There is then still one spot upon earth where peace and security abide; where man can meet his brother man without fear and without suspicion! It was necessary to have lived three years in the midst of French Constitutionals, Girondists, Maratists, and Jacobins of every description, in order to appreciate the refreshment and enjoyment which the first aspect of these Englishmen imparted to our priests on their arrival. Transplanted as they were all at once from the regions of terror to the island of serenity and confidence, it seemed like the commencement of a new life. I know it from my own experience and that of my brethren who accompanied me; it is impossible to do justice to our sensations, to the charm of this repose which we met with on first escaping from a kingdom abandoned to all the horrors of Revolution, and finding ourselves in these happy realms under the peaceful sanctions of settled law. We said to each other, as we passed the towns and villages on our route, How delightful is this silence! Here we no longer hear the cannibal 'Ça ira,' nor the horrible Carmagnole, nor drums incessantly summoning either maddened sectionaries, or federates, or patriots ever ready for the work of slaughter. Here we no longer see thousands of levelled bayonets, threatening pikes, and naked sabres always flashing about from one thoroughfare to another. Here there is no need of armed combatants. The ocean keeps the enemy at a distance from without; while within good order upholds the law, and the law is found to suffice for all the requirements of the citizens."

The Abbé then enters into the details of some of the first instances of British hospitality. Crowds of people came

down to meet the strangers at the harbour, and vied with each other in proffering shelter and refreshments. "They seemed more anxious about our means of subsistence than we were ourselves." In towns where there was not a sufficient supply of lodgings, an immense hostelry was provided for the reception of all in common who had no resources of their own. There they were nourished, visited, and encouraged to make known their wants. Conveyances were prepared for them; and often, during their journey, a gentleman, a lady, a yeoman, would pay their expenses at the inn, or even charge themselves with the whole cost of conveying them to London. The owners of country mansions invited them to sojourn there; they placed money in their hands when they departed, saying to those who had no need of it, "You can dispose of it among your brethren." Many ecclesiastics had begged him (Barruel) to mention the names of their benefactors in the account of these transactions which he was then writing; but he observes that it was the beneficence not so much of individuals as of the nation; "the details of these acts of sympathy would equal that of our misfortune." *

The emigration to England commenced immediately after the massacres at Paris in September 1792. Some time previously, however, Monseigneur de la Marche, bishop of St. Pol de Léon in Brittany, had been compelled to withdraw from his diocese under circumstances already noticed in our pages. He embarked in an English fishing-boat at the little port of Roscoff in March 1791, and safely reached London, where he fixed his residence. He soon found friends and protectors among the highest classes of society; and his presence in the British capital proved eventually of infinite importance to the exiled clergy, since he became their official organ of communication with the Government, and was intrusted with

* Barruel, *Histoire du Clergé*, part ii. pp. 339–52.

the general administration of the funds raised by public and private benevolence for their support. It appears from the report of a meeting held at Freemasons' Tavern on the 20th of September, 1792, under the presidency of Mr. Wilmot, member of Parliament for the city of Coventry, that at that date the emigrants numbered about fifteen hundred in England, and about a thousand in Jersey; one-third of whom were then in urgent need of relief.* But by the 3rd of December these numbers were considerably more than doubled; amounting to three thousand in London and different parts of England, and to upwards of three thousand in Jersey, Alderney, and other adjacent islands. There was no prospect whatever of a speedy termination of their banishment, and the resources of the Committee were already nearly exhausted. In this emergency the Government granted the ancient royal residence known as the "King's House" at Winchester for the permanent reception of as many French ecclesiastics as the building would accommodate. Some necessary repairs were made; furniture was provided, and a regular system was arranged for boarding the inmates at a fixed price. A letter from the well-known Thomas Bowdler to Earl Bathurst, Home Secretary, dated the 8th of February, 1793, states that there were then 221 priests in the house, occupying thirty rooms. The weekly expense for each inmate was under six shillings, including board, washing, coals, and candles. Mr. Bowdler expresses his satisfaction in being now convinced that the public bounty was bestowed on persons truly deserving of it. "They spoke of their banishment from France and the loss of their property with the feelings of men, but at the same time with the piety and resignation of Christians. I hardly recollect any instance in which I mentioned the sufferings they had endured without being interrupted by very strong expressions of gratitude for the com-

* *Add. MSS.*, British Museum, 18,591, 2, 3.

fortable asylum they had found. In short, in whatever light I consider the business, I confess I have very seldom examined any establishment from visiting which I have received so much satisfaction."

Mr. Bowdler adds, however, that unless the subscription already made can be renewed, and maintained upon the same scale of liberality, the fund will be entirely exhausted in six weeks, and the French refugees must be left literally without bread. "I am sensible," he writes, "that the charity of the public has already been almost unexampled, but I cannot forget that these clergymen are men who have given up everything that they possessed, and everything to which they looked forward for their support in this world, rather than abandon their duty to God by taking an oath which they conceived would be perjury." A second collection was accordingly made under the authority of an Act of Parliament and Royal letters; and the amount realised was upwards of 40,000*l.*

In the course of a sermon preached on the 30th of January, 1793, before the House of Lords, the preacher (Bishop Horsley) said, "None at this season are more entitled to our offices of love than those with whom the difference is wide in doctrine, discipline, and external rites; those venerable exiles, the prelates and clergy of the fallen Church of France, endeared to us by the edifying example they exhibit of patient suffering for conscience sake." *

The Committee remarked, in their report of the 1st of October, 1793, that "they would do injustice to the objects of their care did they not bear testimony to the uniform tenor of their irreproachable conduct. Not content with vying with each other in the most rigid habits of parsimony, they have evinced an earnest and unremitting anxiety to lessen, by every effort in their power, the weight of this charge upon

* Horsley's *Sermons*, vol. iii. Sermon 45.

the community. Though untrained, and by their professional habits disqualified in a great degree from laborious occupations, they have nevertheless sought in many instances to support themselves by these means, and as many of them as could procure employment have exerted their industry in those branches of manufacture of which they were capable."

The number of the applicants for relief became progressively larger, and the consequent strain upon the charitable fund still more severe. In November 1793 its resources ran so low that it was resolved to send back as many of the priests as possible from Jersey to their native provinces of Normandy and Brittany, where the events of the civil war seemed to warrant the hope that the Royalist cause might ultimately prevail. This plan was approved by the bishop of St. Pol de Léon. No fewer than 4,008 ecclesiastics were on the list of pensioners at this time, and the monthly expenditure amounted to 7,830*l.*

Many cases of extreme necessity occurred among the bishops. De Cheylus, bishop of Bayeux, who was more than eighty years of age; De Hercé, bishop of Dol; D'Albignac of Angoulême, Le Mintier of Tréguier, De Barral of Troyes, Grimaldi of Noyon, were in a state of destitution; while many others were more or less scantily provided for. The Committee resolved that each bishop in distress should receive four guineas per month from the funds supplied by Government, and six guineas per month from the general collections and benefactions.

It was perhaps scarcely to be expected that the lengthened sojourn of so numerous a body of foreign priests in the heart of England should not excite occasional ebullitions of jealousy on the score of religious differences. It appears that the Protestant susceptibilities of the city of Winchester were roused in January 1796 by the proceedings of a priest named Couvet, who had made two converts in the city, and had indulged in indiscreet language with reference to the future

fate in store for heretics. Upon this the Committee held a meeting under the presidency of Dr. Sturges, Chancellor of the diocese, and were about to recommend Couvet to retire from Winchester, when they were informed that he had already received similar advice from the bishop of St. Pol de Léon. The Committee pointed out that it was of great importance that the French refugees should not only forbear all attempts to make converts to their own Church, but should behave with marked respect wherever they were permitted to reside, and especially where they were in great numbers. This was required not less by the laws of hospitality than for their own advantage and comfort. Since various reports continued in circulation as to their proselytising efforts, Dr. Sturges was requested to investigate their truth; and his inquiries resulted in a most satisfactory testimony to the peaceable and unobjectionable conduct of the accused. They were charged with holding Ordinations; and three undoubtedly were held in Winchester. Again, they were said to have circulated controversial tracts, but this was evidently much exaggerated, and could not be substantiated. The parochial clergy of Winchester assured Dr. Sturges that no cause of complaint had come to their knowledge since the case of Couvet three months previously; and this was the single instance of the kind which admitted of proof, in a place where there were between eight hundred and one thousand French clergy. "In a place," says Dr. S., "where so many priests are assembled, of a communion so different from our own, and in some respects so hostile to it, it is natural and commendable for us to be vigilantly on our guard against any aggressions by which the religious profession of our own people may be shaken. But while we are thus on our guard, it is surely but justice to these unfortunate men, sufferers for that religion which they professed and administered under the ancient laws of their country, not to give admission to complaints against them without proper information or proof,

or, if there were any real ground of complaint, not to exaggerate it beyond its just dimensions, and thereby to increase the popular dislike towards them. The general prejudice of Englishmen against their Church and nation, their long stay, their maintenance by this country, and the excessive prices of the necessaries of life concurring with it, have already raised their dislike to an alarming degree—a degree by which they are continually exposed to insult, and their personal security often endangered. It surely becomes the wiser and more temperate part of the community, at the same time that we take all proper precautions not to suffer by our kindness to them, rather to soften the public disposition, not to turn suspicions into proofs, and apprehensions into actual injuries, ever to consider the infirmities of our common nature, and to reflect how unreasonable it is (supposing causes of complaint to exist) to expect that a thousand men will for a considerable length of time *all* act properly and *all* do what their superiors, from motives of interest, if not of virtue, would wish them. . . . To be unjust to them at this period of our kindness would be casting a shade on the brightest instance of national benevolence by which, in my opinion, any Christian country was ever distinguished."

Dr. Sturges wrote soon afterwards to inform the Committee that a printer at Winchester had brought him a French book which he had been requested to reprint for one of the refugee priests at Jersey; this he had declined to do without the sanction of the superior English clergy. Dr. Sturges thereupon consulted the Bishop and Archdeacon Woodford, and all three hesitated to grant the desired permission. They expressed their opinion that it would be far better that the French priests should print nothing at Winchester, and have nothing to do with the press in any way. This would at once cut off one source of complaints and accusations which would continually be made by persons ill-disposed towards them, without considering whether the

works which they edited were likely to do harm or not. At a conference held with the French superiors at Winchester, De Bonnière and Martin, the latter fully concurred in this view, and undertook that neither the priests at the King's House nor those lodging in the town should in future have any concern with the press.

The number of pensioners upon the charitable fund decreased greatly during the year 1796. On the 1st of May that year there were 1,284 clergy on the list in London and its neighbourhood, and 1,600 in Jersey. The expense per month for the inmates of the King's House, Winchester, was 3,200*l.*; for those maintained at Portsmouth, 900*l.* The interesting document from which this narrative is compiled terminates with a general statement of accounts; from which it appears that the total amount of private subscriptions for the relief of the emigrants was 33,590*l.* 6*s.* 4*d.*; and that of the public collections under Royal letters, 41,314*l.* 12*s.* 7*d.*

To return to the history of events in France. In proportion as all principles of legitimate government were overthrown by the triumphant tyranny of the Revolution, the "Constitutional" Church proved itself more and more incapable of maintaining any real hold upon the mind of the nation. The facts of its origin had deprived it of that moral prestige which is the only certain element of control in the domain of conscience. The existing political disorganisation powerfully encouraged the designs of those who thirsted to release mankind from the so-called chains of religious thraldom; and the apostles of that faction—the faction which was pledged to "decatholicize" France—rose rapidly into eminence both in the Convention and in the municipal administration of Paris.

The earliest steps towards a public abandonment of Christianity appear to have been taken by Fouché, the future

minister of police and Duke of Otranto. Fouché was a native of Brittany, and was educated at the Oratorian College at Nantes. He afterwards became a member of that congregation at Paris; he returned in that quality to Nantes, and was engaged there as superintendent of various branches of study when the Revolution broke out. He embraced with the utmost vehemence the opinions of the ultra-democrats; and having gained some distinction as a popular orator, he was elected to represent the department of the Loire Inférieure in the National Convention. Here he voted for the death of Louis, "without respite and without appeal." Fouché was appointed, in the autumn of 1793, "representative of the people" in the central and western departments; where he soon signalised himself by his zeal in suppressing the outward signs of a national belief in revelation. He published at Nevers (October 10, 1793) a decree of the following tenor:—"Considering that the French people cannot recognise any official symbols except those of the law, of justice, and of liberty, nor any worship except that of universal morality; nor any dogma except that of its own sovereignty and supreme power; considering, also, that confusion and disorder might arise, if, at a moment when the Republic has just declared that it extends equal protection to the exercise of all religions, the members of every sect were permitted to set up in the public thoroughfares the emblems of their particular opinions, and to celebrate there their religious ceremonies, it is ordained—(1) That no forms of religious worship be practised except within their respective temples. (2) Since the Republic does not recognise any dominant or privileged worship, all religious symbols found on highroads, parades, and other public localities shall be demolished. (3) Ministers of religion are forbidden, under pain of imprisonment, to wear their official costumes in any other place besides their temples. (4) The corpses of citizens shall be conveyed by their relations in mourning, accompanied

by a public officer and an armed detachment, to the place of common sepulture, the coffin being covered with a funeral pall upon which shall be painted a representation of Sleep. (5) The cemetery shall be planted with trees, under the shade of which shall be erected a statue representing Sleep. (6) The following inscription shall be placed over the entrance to this consecrated inclosure, out of respect to the manes of the dead:—'Death is an eternal sleep.'" * This decree was reported to the municipality of Paris by Chaumette, the fanatical procureur of the Commune, and was warmly applauded.

Chaumette, the son of a shoemaker at Nevers, was a man of some education and talent, who had forced himself into popular favour by his violent Revolutionary ardour and his powers of stirring oratory. He had been copying-clerk to an attorney, and a writer on the staff of Prudhomme's journal "Les Révolutions de Paris." The atheistical cabal of which he was a leader (his chief associates being the infamous Hébert, the Prussian baron Anacharsis Clootz, and Chabot, a renegade priest) now judged that public feeling was ripe for an avowed and combined onslaught on the profession of Christianity; and their first blow was naturally aimed against the Constitutional Church. Their plan was to instigate the established clergy by motives of any and every kind, by fear, by flattery, by promise of reward and advancement, to renounce the priestly character and abandon their duties; and the success which attended them shows that the moment had been chosen with no small skill. Demonstrations of this sort began with the month of November 1793. "We advance from miracle to miracle," wrote the Commissioners Lequinio and Laignelot from La Rochelle, "and soon nothing will be left us but the regret of having no more to accomplish. Eight functionaries of the Catholic worship,

* *Moniteur*, No. 27, le 27 du 1er mois, l'an 2 de la Rép. Fr.

together with a Protestant minister, *unpriested themselves* * on Thursday last in the presence of the whole population, in the temple of Truth, heretofore the parish church of this town. They swore to teach henceforth nothing but the grand principles of morality and wholesome philosophy, to preach against all tyranny political and religious, and to take the lead in holding up before men's eyes the torch of Reason. They sealed their oath by burning their letters of priesthood in a vase full of incense. All the people, Catholics and Protestants, swore with acclamations to forget their ancient superstitions, and likewise the quarrels which have so long deluged the land with blood shed by kings and priests. Henceforth there will be in this town only one system of moral instruction, only one temple, that of Truth, and only one resting-place for the lifeless remains of man, which superstition was continually resuscitating for the torment of the living. A large picture of the Rights of Man is about to replace the tabernacles of ridiculous and childish mysteries, and other pictures will commemorate on the walls the Constitutional act." †

The impulse thus given was followed up with eager emulation. On the 16th of Brumaire a crowd of citizens arrayed in copes, and carrying religious banners, were ushered into the Convention, and the spokesman announced that the "Popular Society of Mennécy (Seine et Oise) was come" to abjure the prejudices of superstition in the bosom of the Assembly. Already they had determined to erect busts of Le Pelletier and Marat in place of the statues of St. Peter and St. Paul, and a figure of Liberty upon the high altar of their former parish church. They likewise remitted to the legislature the stipend of 1,500 francs hitherto paid to their parish priest, having no further need of it. Another

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* "Viennent de se déprêtriser."

† *Moniteur*, No. 46. Sextidi, 2e décade de Brumaire, l'an 2.

deputation followed, demanding that no successor should be appointed to the Constitutional bishop of Versailles (Avoine), who was recently deceased. "Legislators, will you permit the episcopal canopy to subsist any longer? If the Republican Constitution guarantees freedom of worship, it must needs protect the worship of all without preference for any. Citizens and legislators, acknowlege no worship but that of Liberty, no altar but that of our country, no prelates but the magistrates of the people. O holy mountain, may a rock detached from thy summit roll down and crush this Colossus engendered by pride, ignorance, error, and covetousness!" The House eulogised this apostrophe with a *mention honorable*, and ordered it to be inserted in the journals.

These were preludes to a still more scandalous scene. At the next day's sitting (17th Brumaire) a letter was read from a parish priest named Parens, who declared himself to be a charlatan, an impostor, but hitherto an honest impostor, deceiving others only because he was himself deceived. His eyes being now opened, he was unwilling to be a dishonest impostor, but he might be forced to take that course from absolute lack of the means to support life. He therefore entreated the House to grant him a pension, that he might be relieved from the necessity of continually repeating as a public teacher what he knew to be mere nursery tales.

Immediately afterwards came the ignominious abjuration of Bishop Gobel and his clergy,—a ceremonial which had been carefully prearranged by the municipal authorities, to serve as an official inauguration of the reign of atheism. Disgraceful as it was, it is but justice to state that this act was not spontaneous on the part of Gobel. He was weak and pusillanimous, but not deliberately wicked. In his heart he probably believed what he professed to believe; but he had none of the spirit of a martyr, nor even of a confessor. It is asserted that Hébert and his confederates, in a nocturnal interview, plied him so vehemently with arguments and

threats, that the unhappy man, knowing the desperate character of his visitors, at last consented to apostatise in order to save his life.* He was accompanied to the Convention by his vicars and other clergy, and was introduced in a pompous speech by Momoro, a member of the Commune. Addressing the Assembly, Gobel expressed himself thus: "Born a plebeian, I early learned to love liberty and equality; called by my fellow-citizens to the Constitutional Assembly, I did not wait for the public declaration of the rights of man before recognising the sovereignty of the people. The will of the people has always been my first law, submission to it my first duty. That will raised me to the episcopal see of Paris; and I have profited by the influence which my station gave me to augment the attachment of the people to liberty and equality. But now that the close of the Revolution is approaching; now that liberty is established by the common sentiment of all; now that no national worship ought to exist longer but that of liberty and equality; I renounce the exercise of my functions as a minister of the Catholic worship, and my vicars make a similar declaration. We deposit upon your table our letters of priesthood. May this example consolidate the reign of liberty and equality! Vive la République!" † An unanimous burst of applause filled the Chamber; the president congratulated the audience on this signal proof of the triumph of philosophy in en-

* The following is the account of this transaction given by Lombard de Langres in his curious *Mémoires Anecdotiques*, tom. i. p. 100: "Hébert, Chaumette, Lhuillier, Collot d'Herbois, se transportent, la nuit du 9 Novembre 1793, chez Gobel, le font lever, lui annoncent qu'il faut que le lendemain, 10, sans plus de retard, il aille à la Convention renier Jésus-Christ, et déclarer à la tribune que la religion qu'il a enseignée jusqu'à ce jour n'est qu'un tissu de mensonges et d'absurdités. 'Tu le feras,' lui dit-on, 'ou tu es mort.' . . . Le vieillard pousse des cris lamentables, se jette à leurs pieds, s'y roule, les conjure par son désespoir de lui épargner cette flétrissure atroce. . . . 'Abjure ou meurs!' . . . Il abjura." The occurrence took place, however, not on the 10th, but on the 7th of November. Louis Blanc (*Hist. de la Révolution*, tom. ix. p. 476) relates it somewhat differently, and assigns the initiative to Anacharsis Clootz.

† *Bibliothèque de la Révolution*, tom. 157. British Museum.

lightening mankind. "Citizens," he exclaimed, "ye who have just abjured error, you will henceforth preach nothing but the practice of social and moral virtue; this is the only worship agreeable to the Supreme Being. You are worthy of Him!" The red cap of liberty was then presented to Gobel. He placed it on his head; and amid renewed acclamations the president then gave the fraternal accolade to the self-deposed prelate. "After the abjuration which you have heard, the bishop of Paris has become a nonentity (*être de raison*); but I embrace citizen Gobel." Other priests now rushed to the tribune and pronounced their recantation. Lindet, bishop of the Eure, declared that for his part he had never been a charlatan; that he had only accepted the episcopal office because he hoped to contribute to the safety of his country in difficult times; that he had employed the confidence which he enjoyed only in combating royalists and fanatics. "I have waited for a favourable moment to make a solemn abdication of my functions without danger to my country; that moment has arrived, and I abdicate. There can be no mistake as to my sentiments. All France is aware that I was the first to renounce the clerical celibate and take a wife." This was perfectly true; Bishop Lindet had married in 1792, and his example had been followed by several of his colleagues.

The House was still engaged in receiving ecclesiastical abjurations from different parts of the country, when Bishop Grégoire entered and took his accustomed seat. He himself has described in graphic language what passed on this occasion. "The moment I arrived, a troop of Montagnard deputies crowded round me like furies. I was looked upon as the corypheus of the clergy; and for that reason they exerted themselves the more earnestly to extract from me an abjuration which would have been a triumph for the anti-Christian faction. 'You must ascend the tribune.' 'For what purpose?' 'To renounce your episcopate, your reli-

gious charlatanism.' 'Ye wretched blasphemers, I never was a charlatan. Sincerely attached to my religion, I have preached it in its integrity, and I intend to remain faithful to it.' The president now announced that I had the right to address the House, though I had not demanded it. I hastened to the tribune; general silence at once succeeded to an outrageous tumult.' 'I entered the House with a very vague idea of what had occurred in my absence. They talk to me about sacrifices for the good of the country; I am accustomed to them. Is it a question of attachment to the cause of liberty? I have made full proof of my principles in that particular. Is any objection raised against the revenue attached to the episcopal office? I am ready to abandon it without regret. Does the discussion affect religion? That is a subject beyond your domain, and you have no right to attack it. There is some talk about fanaticism and superstition. I have always combated them; but let those terms be clearly defined, and you will see that superstition and fanaticism are diametrically opposed to religion. As to myself, a Catholic by conviction, a priest by choice, I was selected by the people to fill the post of a bishop; but it is neither from the people nor from the Convention that I hold my mission. I consented to bear the burden of the episcopate at a time when it was fraught with trials; I was tormented to accept it, and now I am tormented to renounce it—an act to which I will never be compelled. I have endeavoured to do good in my diocese; and in accordance with sacred principles which I hold dear, and of which I defy you to bereave me, I remain a bishop in order to do more good. I invoke the freedom of religious worship.'

"This speech," continues Grégoire, "was interrupted twenty times. As soon as the party of persecution found that I was speaking in a sense contrary to their views, they began howling and yelling to drown my voice, which I thereupon proportionately raised; and this roaring was

kept up till the end of my speech. When I returned to my place, every one shrank away from me, as if I was smitten with pestilence. If I turned my head, I encountered looks of fury fixed upon me; threats and abuse were hurled upon me from all sides. Nevertheless, I felt a cheerful satisfaction in having braved the storm; I thanked God for having supported my weakness, and for strengthening me to confess Jesus Christ. When the sitting was over I hastened home, and feeling sure that my speech must of necessity find a place in history, I lost no time in committing it to paper. I declare that when I delivered it I believed I was pronouncing my own sentence of death."

The bishop mentions also that the enraged Hébertists took care to have his speech falsely reported in the public papers; it was garbled even in the "Moniteur." They could not deny, however, the facts of his intrepid adherence to Christianity, and refusal to desert his ecclesiastical post.* His house was besieged that night and on the following days by their emissaries, who spared no pains to cajole or intimidate him into some step tending to minimise the effect of his conduct at the Convention. The walls were placarded with a handbill entitled "Un mot à l'évêque Grégoire," in which he was bitterly reviled for refusing to pay homage to Reason, and for opposing the abjurations of the clergy, and was denounced as responsible for prolonging the delusions and blindness of the nation. Bourdon de l'Oise publicly accused him of desiring to "Christianise the Revolution." "It is well known," says the bishop, "that at that time an attack of such a character was tantamount to public proscription."

The firm and fearless bearing of Grégoire at this moment of danger contrasts emphatically with the cowardly defections of many of his episcopal brethren. Letters were read

* *Mémoires de Grégoire, ancien évêque de Blois*, tom. ii. pp. 32–35.

in the same sitting from Gay Vernon, bishop of the Haute Vienne (Limoges), and Lalande, bishop of the Meurthe (Nancy), who declared that they renounced their functions; the latter adding that he should have done so much sooner, had not the authorities of his department begged him to postpone it on the ground that his presence was still necessary to withstand the aristocracy and the extravagant pretensions of the court of Rome. "This motive," continued Lalande, "exists no longer. The aristocracy is destroyed, annihilated. The authority of the Pope is reduced to its just extent; and the people, enlightened by the genius of liberty, is no longer the slave of superstition and prejudice."* Other Constitutional bishops who abjured were Torné † (of the Cher), Marolles (of the Aisne), Pelletier (Maine et Loire), Thibault (Cantal), Héraudin (Indre), Huguet (Creuse), Pontard (Dordogne), Diot (Marne), and Savines (Ardèche). They numbered in all more than twenty.

The abbé Sieyès, although he had shown himself on former occasions not incapable of exposing and rebuking the wild vagaries of popular passion, quailed before the storm of infidel fanaticism. He announced that he had long since shaken off the chains of superstition; he had been its victim, but never its apostle or its tool; no man in the world could say that he had been deceived by him, and in many cases he had been the means of opening men's eyes to the truth. "I gladly embrace this opportunity of declaring once more (what I would do a hundred times if necessary) that I know

* *Moniteur*, No. 49, Nonidi, 2e décade de Brumaire, l'an 2.

† Torné displayed an amount of shameless impudence which exasperated the Constitutionalists beyond measure. Of a speech which he made at Tarbes, their organ (*Annales de la Religion*, tom. iii. p. 463) says, "Nous l'avouons, ce satyre effronté a versé sur l'épiscopat l'infamie de ses mœurs et les blasphèmes de son impiété; après avoir répandu secrètement, pas trop secrètement encore, la corruption dans le troupeau de Jésus-Christ, il a, s'étant une fois démasqué, poussé les principes de persécution plus loin que n'ont fait les plus audacieux agens de la tyrannie décemvirale. C'est une tache, sans doute, pour le clergé constitutionnel. . . . Il se mêla parmi les apôtres, et il languit encore dans une honteuse vieillesse. Eh bien! il est plus lâche et plus endurci que Judas."

no other worship than that of liberty and equality, no other religion but that of the love of mankind and of my country." He had no resignation to make, since he held no ecclesiastical appointment; but he surrendered an annuity of 10,000 livres, which had been secured to him in compensation for the loss of suppressed benefices. Sieyès was loudly applauded, and his speech was ordered to be printed in the journals.

The momentary triumph of the great anti-Christian conspiracy was at hand. Not only had it demolished all the barriers and safeguards provided by the ancient system, but even the Constitution fabricated under its own auspices—that masterpiece, as its framers esteemed it, of human genius—had crumbled into dust after an existence of scarcely more than three years. The Revolutionary Church betrayed in the hour of trial the inherent defects and anomalies of its origin. It proved alike incapable of withstanding infidelity in the field of controversy, and of bearing patient witness to the truth amid the fires of persecution. By degrees it became disorganised and helpless. Men who owed their bishoprics to the indiscriminate suffrages of an ignorant populace, and whose consciences must have warned them from time to time that they were intruders into sees already canonically occupied, were not likely to exhibit any remarkable stedfastness if the tide should once turn decidedly against them. Many of them had broken their vows by marrying, and had thus forfeited credit, not only in the eyes of orthodox Catholics, but also in the esteem of large classes who were professedly indifferent to all rules of ecclesiastical discipline. Many disgraced themselves by overt acts of apostasy; others, without proclaiming their disloyalty, succumbed in silence to the torrent of impiety. Under these circumstances the demagogues of the Commune no longer hesitated to proceed to the last extremities. They decreed that on the 10th of November the "worship of Reason" should be inaugurated at Notre Dame.

On that day the venerable cathedral was profaned by a series of sacrilegious outrages unparalleled in the history of Christendom.

A temple dedicated to "Philosophy" was erected on a platform in the middle of the choir. A motley procession of citizens of both sexes, headed by the constituted authorities, advanced towards it; on their approach the goddess of Reason, impersonated by Mademoiselle Maillard, a well-known *figurante* of the opera, took her seat upon a grassy throne in front of the temple; a hymn, composed in her honour by the poet Chenier, was sung by a body of young girls dressed in white and bedecked with flowers; and the multitude bowed the knee before her in profound adoration. It was "the abomination of desolation sitting in the holy place." At the close of this grotesque ceremony the whole cortège proceeded to the hall of the Convention, carrying with them their "goddess," who was borne aloft in a chair of state on the shoulders of four men. Having deposited her in front of the president, Chaumette harangued the Assembly. "Fanaticism," he said, "has loosed its hold; it has given way to reason, justice, and truth; it has taken flight. This day the population of Paris has congregated under those antique Gothic arches, where error so long prevailed, and which now for the first time have resounded with the voice of truth. There we offered sacrifice to liberty, to equality, to nature; we have paid our homage not to vain images, not to senseless idols, but to a masterpiece of nature, which inspired all hearts with enthusiasm." The same exclamation echoed from all parts of the building: "No more priests! No other gods but those supplied by nature!" He proceeded to demand that the ci-devant metropolitical church should henceforth be the temple of Reason and Liberty; which proposition was immediately adopted. The "goddess" was then conducted to the president, and he and other officers of the House saluted her with the "fraternal

A.D. 1793. Nov. 10.

kiss" amid thunders of applause. After this, upon the motion of Thuriot, the Convention in a body joined the mass of the people, and marched in their company to the temple of Reason, to witness a repetition of the impieties above described.*

These demonstrations were zealously imitated in the other churches of the capital. At St. Sulpice a half-frantic blasphemer mounted the pulpit and defied the Almighty to punish him with a stroke of vengeance for denying His existence. "He strikes not," pursued the miserable man, "therefore it is manifest that there is no such being."† "St. Augustine would have replied," observed Bishop Grégoire, "that God has all eternity to punish in."‡ The interior of St. Eustache was transformed into a *guinguette*, or place of low public entertainment. Tables were set out, and repasts served in gross profusion to all comers; and this was followed at nightfall by disgusting orgies. At St. Gervais a ball was given in the chapel of the Virgin. In other churches theatrical spectacles took place. The much-venerated relics of St. Geneviève, the patroness of Paris, were publicly burnt on the Place de Grève, "to expiate the crime of having served to propagate error and minister to the luxuries of clerical sluggards." A scoffing *procès-verbal* of this proceeding was drawn up amid shouts of laughter, and forwarded to the Pope. Mercier, an eye-witness, tells us that he could scarcely credit the reality of what he himself saw and

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* *Moniteur*, suite de la séance du 20 Brumaire. It is satisfactory, however, to find that the Convention was by no means unanimous in sanctioning these fearful profanations. "Je n'assistai point," writes Durand de Maillane, "aux scènes plus que scandaleuses qui se passèrent dans l'église Notre-Dame, où une actrice d'opéra fut encensée comme une divinité, et je dois dire que la moitié au moins des Conventionnels refusa d'y assister. Un rand nombre d'entre eux ne se rendit même plus aux séances de l'Assemblée depuis le jour où l'on traîna l'évêque de Paris à sa barre pour y déclarer qu'il n'avait jamais été qu'un imposteur, et que le peuple rejetait le Christianisme."—Durand de Maillane, *Hist. de la Convention Nationale*, chap. ix. p. 182.

† *Annales de la Religion*, tom. i. p. 167.

‡ Grégoire, *Histoire des Sectes Religieuses*, tom. i. p. 35.

heard.* Statues of saints dragged down and demolished; immense bonfires made of church ornaments of all kinds, together with missals, breviaries, antiphonaries, and the Old and New Testaments; mules laden with crucifixes, censers, holy-water vessels, chandeliers; devotees of the new worship sitting astride upon asses dressed up in ecclesiastical vestments, and drinking at cabarets out of golden chalices and flagons plundered from the altars. Representatives of the people thought it no shame to quit their curule chairs in order to dance the "carmagnole" with abandoned women in the streets attired in sacerdotal garments.

On Sunday, the 17th of November, all the parish churches of Paris were closed by authority, with three exceptions, viz. St. Nicolas du Chardonnet, St. Victor, and St. Ambroise. Chaumette, at a sitting of the Commune on the 26th of November, called for further measures for the extermination of every vestige of Christian worship. "The priests," said he, "are capable of any and every crime; they will make use of poison against the patriots; unless you take care, they will work miracles. They will set fire to the treasury and public buildings; and when they see their victims perishing in the flames they will declare that the justice of heaven has overtaken them. I demand therefore that it be proclaimed by the Council that the people of Paris is *ripe for reason*, and that if any movement should take place in favour of fanaticism, all priests will be immediately imprisoned, inasmuch as Paris has resolved to recognise no other religious worship but that of Reason." Upon this the Council ordered—(1) That all churches and temples, belonging to whatever religious denomination, should be forthwith closed. (2) That all priests and ministers of religion should be held personally responsible for any troubles which might arise from religious opinions. (3) That whosoever might demand the

* Mercier, *Nouveau Paris*, tom. iv. capp. 46, 65.

reopening of any church or temple should be arrested as "suspect." (4) That the Revolutionary Committees should be instructed to exercise vigilant surveillance over all priests. (5) That the Convention should be petitioned to exclude priests from every kind of public employment, especially from all concern in the manufacture of arms."*

This edict was put into immediate execution in every article except the last. The Convention declined, in the interest of the Revolution itself, to deprive the clergy of all means of subsistence. Every encouragement was offered them to marry, to renounce their sacerdotal functions, to abjure Christianity, to profess themselves converts to Naturalism and the deification of Reason; but at the same time the promised stipends were not withdrawn from Constitutional priests who lived in quiet submission to the law, and were ready to fulfil their duties if permitted to do so. It was feared that if they were driven to extremity they would resort to intrigues for restoring the exploded "superstitions" of Christianity. "Citizens," cried Danton, "your enemies have sought to take advantage for your ruin even of the very philosophy which governs you. They imagined that by rewarding priests who might abandon their profession, you would necessarily be led to persecute those who continued in the blindness of error. But the people are no less just than enlightened. The Assembly will not endow any form of worship, but it abhors persecution, and will not shut its ears against the appeals of humanity. Grant succour, citizens, to all priests, but let not those who are of an age to undertake active employment have recourse to the bounty of the State if they are able to support themselves by other means." Another orator, Levasseur, pointed out that to subsidise the

* *Moniteur*, Sextidi, 6 Frimaire, l'an 2 (November 26, 1793). Among other preposterous votes of the Commune was one for demolishing the church steeples, because by towering above other buildings "they seemed to contradict the Republican principle of equality!"

priests was the surest way to uproot fanaticism. "Yesterday," he said, "I was in the parish of Luzarches. I had been obliged to deliver to the Revolutionary tribunal a priest of the place who had been using his influence to pervert the minds of the citizens. Yesterday I spoke to them the language of truth with all the energy at my command. The vicaire ascended the pulpit, delivered up to me his letter of Orders, and, addressing his parishioners, informed them that he had never believed what he had taught them; that, having been placed in the ecclesiastical profession, he had outwardly fulfilled its duties, but that the force of truth compelled him at length to abjure a calling of which lying was the principal subject of study. Upon this I resumed my discourse," continued Levasseur, "and represented to the people that the voluntary abjuration of their pastor, and of so many other priests, ought decisively to open their eyes, and cause them to acknowledge the supremacy of Reason. Thereupon they desired me to consecrate their ancient parish church to Reason. The municipality were present; they consulted among themselves, and decided that their church should henceforth be a temple dedicated to Reason. Well! if that vicaire had not acted with such sincerity the parish would have continued under the yoke of fanaticism. I demand, then, that you proclaim the principle that those who abjure their priesthood shall be salaried by the Republic. Let the pension which you grant to younger priests be such as will not exempt them from the duty of active work; but let that which you assign to the aged be sufficient for their proper maintenance." Accordingly the Convention passed a decree that bishops, curés, and vicaires who had abjured or might abjure their profession should receive stipends from the Republic in the following proportions: those under 50 years of age, 800 livres; between the age of 50 and 70, 1,000 livres; and above the last-mentioned age, 1,200 livres.*

* *Moniteur*, séance du 2 Frimaire.

Numbers of Constitutional clergy now altogether abandoned the ecclesiastical calling and entered upon various lines of civil employment. Many obtained subordinate appointments in the Government offices; others became contributors to newspapers, librarians, private secretaries, civil engineers, bankers' clerks, reporters in the courts of justice. Many, again, having married and secured a decent competence, settled in the villages and small country towns as agriculturists.

The example set by Paris at this melancholy period was faithfully repeated, if not surpassed in atrocity, throughout the provinces. Religion was proscribed, churches closed, Christian ordinances interdicted; the dreary gloom of atheistical despotism overspread the land. The departments swarmed with Revolutionary clubs, ruled with absolute sway by a few men of more than common audacity; these were so many hotbeds of infidelity and blasphemy, and for a time the fury of their efforts to "decatholicise France" was irresistible. They were in close correspondence with the Héberts and Chaumettes of the capital, with the Commune and the Terrorist Committees; and under such inspiration the people were hurried into wholesale acts of apostasy to which in many instances they were by no means really inclined. The deputies employed in mission by the Convention, known generally by the name of proconsuls, took the lead in this unhallowed enterprise. Such were Lebon (a priest), Carrier, Lequinio, Javoque, Faure, and especially Tallien and Isabeau, the latter a ci-devant member of the Oratory, who presided over a scandalous series of "Fêtes de la Raison" at Bordeaux. Banners were carried in procession in honour of the heroes of the September massacres. A band of comedians masqueraded in the streets in derision of the Pope and Cardinals, the bishops and monastic Orders; they were preceded by a standard with the inscription "Our reign is past;" and afterwards, stripping off their ecclesiastical vestments, they com-

mitted them to the flames, amid the laughter and plaudits of the multitude. At Lyons the goddess of Reason, a female of questionable reputation, was conducted by Collot d'Herbois and Ronsin, with an imposing train of civil and military authorities, to the principal church, where they enthroned her on the high altar, burned incense before her, and worshipped her in duly prescribed order with divine honours. At Tours the churches were desecrated, the statues and pictures destroyed, jewelled crosiers and mitres dashed in pieces, and even the consecrated wafers thrown into the fire. Sepulchral monuments were violated, the bones of the dead exposed and scattered to the winds; the mouldering remains of defunct citizens, men universally respected in their time, were cast forth under the eyes of their relatives to be devoured like offal by unclean animals. Authentic details of similar brutalities in different districts are almost endless.*

These infamies were too monstrous to be tolerated for any length of time. The "reign of Reason" was so glaringly at variance with the most elementary instincts of our nature, that it suggested and insured its own overthrow. "The evil," writes Bishop Grégoire, "had reached its height. The moment was approaching when society was about to dissolve and be torn into fragments. When men begin to return to the paths of truth and virtue, they are commonly actuated less by the love of rectitude than by downright weariness of error and vice." † The Hébertists, in the extravagance of their hatred to religion, had lately declared that "so long as there remained a single priest upon earth it was impossible to help trembling for the security of the Republic." Robespierre, who had marked the symptoms of a coming reaction, boldly seized the opportunity, and denounced without mercy the hypocritical faction which dis-

* Mercier, *Le Nouveau Paris*, tom. iv. chap. 165. Grégoire, *Hist. des sectes religieuses*.

† Grégoire, *Hist. des sectes religieuses*, tom i. p. 97.

puted his own march towards absolute dictatorship. "Is it true," he cried, "that fanaticism is the principal cause of our misfortunes? Fanaticism! It is expiring, I might almost say it is dead. You are afraid of the priests! Yet every day you see them abdicating the clerical office, and becoming civil agents, municipal officers, presidents of popular societies. There is no need to be afraid of priests or their fanaticism; five years of revolution sufficiently attest their impotence. The only way to revive fanaticism is to believe in its power. It took flight before Reason; but if you pursue it with hue and cry, it will return forthwith. When zealous citizens come and deposit upon the national altar the useless badges of superstition, when they renounce such and such ceremonies, and adopt a form of worship which they consider more conformable to truth, reason and philosophy may well applaud their conduct. But by what right do men hitherto unknown in the career of the Revolution seek by means of such events to usurp a false popularity, sowing discord among us, obstructing liberty of worship in the name of liberty itself, attacking fanaticism by more fanaticism, and causing the homage paid to pure truth to degenerate into absurd buffooneries? People suppose that the Convention, because it accepted certain national offerings, meant to proscribe the Catholic worship. No, the Convention never took such a presumptuous step, and never will take it. Its intention is to maintain the religious liberty which it has proclaimed, and at the same time to restrain any one who may abuse it by disturbing public order. Priests have been denounced for saying mass; try to prevent their saying it, and they will say it all the more. He who seeks to silence them is more fanatical than they themselves. There are men who attempt to make a religion of atheism. Every one is free to think as he pleases on that matter; but for a public legislature to adopt it as a system would be more senseless than any private opinion that can possibly be formed respecting it. The Con-

vention abhors such an idea. Atheism is aristocratic. The idea of a Great Being who watches over oppressed innocence and punishes triumphant wickedness is altogether popular. If God did not exist, it would be necessary to invent Him." *

Robespierre was instigated on this occasion by a variety of motives, of which the foremost doubtless was the desire to crush an obnoxious political party which stood in the way of his own measureless ambition. But he seems likewise to have been influenced by a wish to promote religious liberty in the sense in which he understood it, namely, that of religious indifferentism. All forms of belief and worship, according to him, ought to be perfectly free, provided no ceremonies were practised in public, and no countenance or assistance afforded by the State to one persuasion above another. It must be remembered, also, that Robespierre was a disciple of Jean-Jacques Rousseau, and therefore believed (at all events professedly) in the existence of a Divine Being and an overruling Providence. Hence his action against the Hébertists became the first step towards the recovery of the nation from the abyss of godless materialism into which it had been betrayed; and the reflux movement, as is so commonly the case in France, was no less sudden and impulsive than the aberration.

Danton declared himself promptly on the side of Robespierre. "We must not go into such ecstasies," said he, referring to the priests who came to abjure their vocation, "over the conduct of men who are merely following the torrent of example. If we have shown no favour to the priests of error and fanaticism, we do not mean to pay more honour to the priests of incredulity. I demand that no more anti-religious masquerades shall take place in the bosom of the Convention. Persons who desire to offer the spoils of

* This memorable speech was made at a sitting of the Jacobin Club on the 1st of Frimaire, an 2 (November 20, 1793).

churches upon the national altar must no longer be suffered to make them either a jest or a trophy of triumph. It is not our business to be perpetually receiving deputations which do nothing but repeat the same set phrases. There must be a limit to everything, even to congratulations."*

The mean-spirited Chaumette quickly took the alarm; he perceived the turn of the tide, and read his recantation without delay. "It makes no difference to us," he cried, "whether a man is a Theist or an Atheist, a Catholic, a Calvinist, or a Protestant; whether he believes in the Koran, in miracles, in fairy tales, or in the torments of hell; that is no affair of ours; let him dream whatever he pleases; so long as his dreams are not too noisy or too passionate, it is of little consequence to us. Let us not inquire whether he goes to mass, to the synagogue, or to the conventicle; let us only inquire whether he is a Republican; let us busy ourselves only with securing to him the free exercise of his rights, even the right of indulging in dreams." He moved, in consequence, that the Commune should declare that it had never designed to prevent citizens from having rooms and paying ministers for the support of any religion they pleased, provided that its exercise was not injurious to society; while at the same time due respect must be maintained for the judgment of those Sections which had thought proper to renounce Catholicism in favour of the worship of Reason, liberty, and republican virtue. This resolution was carried forthwith.

Robespierre steadily and boldly pursued his new policy. He pointed out that the late demonstrations of atheism were dangerous to the Republic, as exposing it to derision and odium throughout Europe. To uphold such a system, he observed, was to furnish the enemies of France with a powerful weapon against herself. What could be more deplorably

* *Moniteur*, Convention Nationale, séance du 6 Frimaire.

impolitic than to court the hostility of other nations by insulting religious feelings and prejudices which were universal in the civilised world? Had not the Republic enough to do to make head against internal perils, without needlessly offending neighbouring States who might otherwise become its allies?

With these views he proposed to the Convention the draft of a Declaration which was adopted on the 15th Frimaire (December 5) in the midst of enthusiastic applause. It was a reply to the manifestos of certain foreign powers against the existing régime in France. "Your masters tell you that the French nation has proscribed religion; that they have substituted the worship of their fellow-creatures for that of the Divinity; they parade us before the eyes of the world as idolaters and simpletons. They are liars. The French people and their representatives respect the liberty of all forms of worship, and do not proscribe any one of them. They honour the virtue of the martyrs of humanity without infatuation; they abhor intolerance and persecution, under whatever pretexts they may shelter themselves; they condemn the extravagances of philosophism just as they condemn the follies of superstition and the crimes of fanaticism. Tyrants impute to us some few irregularities, which are inseparable from the stormy commotions of a great Revolution: they attribute to us the effects of their own intrigues and the attempts of their emissaries. But whatever wise and sublime enactments the Revolution has produced are the work of the French people; whatever presents an opposite character belongs to our enemies. All reasonable and magnanimous men are on the side of the Republic; all perfidious and corrupt beings take part with your tyrants." The Declaration caused a deep sensation, and was followed almost immediately by a decree of the Convention prohibiting all violence, threats, or compulsion contrary to the principle of religious liberty, and restricting the action of the authorities with

regard to religion to regulations necessary for the preservation of order and public safety. Good citizens were exhorted to abstain from all disputes about theology, and other questions foreign to the great interests of the nation, and to co-operate to the utmost of their powers in securing the triumph of the Republic and the ruin of their enemies.*

A decided check was thus given to the tyranny of the Commune; and from this date nothing more was seen or heard in Paris of the preposterous mummeries in honour of the goddess of Reason. Nevertheless little or no progress had been made towards the restoration of healthy feeling in the country at large. Throughout the provinces the churches remained closed, even against the constitutional clergy. "Religious liberty" was the most baseless of illusions; the fact being that irreligion of every species was tolerated and protected by authority, whereas no one durst utter a word in favour of Christianity, much less of Catholicism, which was still in reality, though secretly, the belief of the great majority of Frenchmen. The Convention continued to receive with complacency the accounts forwarded by its delegates of wholesale acts of apostasy; priests were publicly congratulated on declaring their utter disbelief of all the doctrines of the Gospel; nor was there any relaxation of the rigour of previous laws which doomed to imprisonment, transportation, and destitution, thousands of ecclesiastics whose only crime was their fidelity to the most sacred conscientious obligations. Indeed some of the last enactments of the Terror were marked by fresh aggravations of cruelty. In March 1794 it was decreed that all sentences passed upon refractory priests should be executed without appeal; thus depriving them of the right, enjoyed by all other citizens, of carrying their case in the last resort before the supreme court of Cassation. Again, the property of all such ecclesi-

* *Moniteur*, Septidi, 17 Frimaire, l'an 2 (December 7, 1793).

astics, whether still residing in France or in exile, was declared forfeited to the nation; and any one who might shelter a priest subject to transportation was made punishable with death.

Nor did the Revolution show mercy in its hour of triumph to that section of the clergy who had frankly thrown themselves into its arms and actively served its interests. The Constitutional bishops experienced their full share in the pitiless persecution which their own earlier conduct had too clearly, however unintentionally, contributed to produce. Eight of these prelates suffered by the guillotine, three of whom were men who had made a considerable figure in the Revolution;—Fauchet, Lamourette, and Gobel. Fauchet, disgusted by the Jacobin excesses, had latterly retraced his steps, and attached himself to the moderate party. He voted in the Convention with the Girondists; exerted himself to oppose the condemnation of Louis XVI.; prohibited in his diocese the marriage of the clergy; and expressed deep sorrow for the errors and scandals both of his political and ecclesiastical career. Involved in the fall of his associates on the 31st of May, 1793, Fauchet was consigned to the Conciergerie; and there the Abbé Lothringer, a prisoner like himself, succeeded in obtaining from him a complete retractation of his acts of intrusion and schism, and reconciled him to the Church. The Abbé Emery, as already mentioned,* spoke in very favourable terms of his state of mind at the moment of his trial and condemnation. The behaviour of Fauchet in his last hours was manly and edifying. He made an affecting address to the condemned Girondists before leaving the prison for the scaffold, and after receiving absolution he administered the same consolation to his friend Sillery. He died with courage on the 31st of October, 1793, in the fiftieth year of his age.

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* See ante, p. 217.

Adrian Lamourette, Constitutional bishop of Lyons, had in like manner recoiled before the execrable crimes of the ultra-revolutionists. He protested with honest indignation against the horrors of the days of September, and supported to the utmost of his power the vigorous counter-revolutionary movement which broke out at Lyons. The subsequent triumph of the Terrorists was fatal to Lamourette, who was arrested and sent to Paris as "suspect." In the Conciergerie he had the great advantage and comfort of becoming known to the Abbé Emery, and under his guidance he drew up and signed an abjuration of the schism. He asked forgiveness of God and the Church for having taken possession of a see which was not vacant; for having consented to an uncanonical consecration, violated the laws of ecclesiastical discipline, and contravened the authority of the Pope. Three days afterwards he was summoned before the Revolutionary tribunal, where he received sentence of death. Thereupon he humbly made the sign of the cross, retracted his oath to the Constitution Civile, and declared that he had been the author of all the speeches upon ecclesiastical affairs which Mirabeau had delivered in his own name in the Constituent Assembly. He spoke of his approaching execution as a punishment justly inflicted by Divine Providence, and expressed sentiments of profound resignation and contrition.* Lamourette was guillotined on the 10th of January, 1794.

The unhappy Gobel, bishop of Paris, paid the penalty of his complicity with Chaumette and the despicable crew of the Commune. His abjuration of the episcopate, as we have already seen, was rather an act of cowardice than of deliberate impiety. Bishop Grégoire states that he sent one of his chaplains to assure him that his language before the Convention had been misreported; that he had never

* *Vie de M. Emery*, tom. i. p. 568. De Barante, *Histoire de la Convention*, tom. iv. p. 226.

renounced Christianity, but simply resigned his office and function as a bishop. Grégoire adds that he believed this; but how could Gobel be ignorant, he asks, that his abdication of the episcopate would be regarded by the infidels as a virtual apostasy, and that they had ulterior views to serve?* Gobel, on being thrown into prison, suffered the agonies of acute remorse. He hastened to do all in his power to repair his misconduct; he sent his written confession to the Abbé Lothringer, and signed the document, not as bishop of Paris, but of Lydda. He entreated the Abbé to give him the benefit of his ministrations in his last moments, to come to the Conciergerie at the time when he was leaving it for the guillotine, and to pronounce over him the form of absolution, not forgetting the clause "ab omni vinculo excommunicationis." Gobel's penitence was likewise attested by the Abbé Emery and the Abbé Gaston de Sambucy.† He perished, in company with Chaumette, Grammont, and many other "conspirators" against the Republic, on the 13th of April, 1794.

A similar fate befell Louis Expilly, bishop of the Finistère, who from the first had distinguished himself rather as a violent politician than as a peaceable ecclesiastical functionary. Having joined the so-called "federalists," he implicated himself in perilous intrigues against the ruling powers at Paris. He reached the highest post of provincial authority, being named President of the Directory of his department; but having given offence in that capacity to the Jacobin

* *Mémoires de Grégoire*, tom. ii. p. 38. Gobel was charged in the official act of accusation with having striven, in concert with Chaumette and Clootz, "to efface all notion of a Divinity." This shows how powerful was the recent reaction against the worship of Nature and Reason. The ex-bishop was guiltless, however, of any such conspiracy. "L'évêque de Paris," writes Durand de Maillane, "continua de professer hautement sa religion, et mérita qu'on le fit guillotiner. Un témoin de son supplice m'a rapporté dans le temps à Paris, que lorsque le peuple criait à son ordinaire, 'Vive la République!' Gobel s'écria à son tour et à voix haute, 'Vive Jésus-Christ!'" — Durand de Maillane, *Hist. de la Convention Nationale*, chap. ix. p. 183.

† Buchez, *Hist. Parlem.* tom. xxxii. p. 250.

despots of the Convention, he was condemned to death by the revolutionary tribunal of Brest, and executed, with other magistrates of that place, on the 21st of June, 1794, only one month before the fall of Robespierre.

Robespierre had no sooner triumphed over the godless extravagance of Hébertism than he found it necessary to substitute for it some other species of national religion;—an undertaking which in the existing temper of the popular mind was of no small difficulty. Infidelity was still rampant on the benches of the Convention and in the two all-powerful Committees; and deadly jealousy prevailed against any step which might seem in the remotest degree to foreshadow a return towards exploded superstitions and the domination of the priests. The dictator took his measures with decision, and at the same time with considerable tact and dexterity; his famous speech on the 18th Floréal (May 8, 1794) was one of his most effective utterances. Discoursing on "the connection of religious and moral ideas with republican principles," he showed with much power both of reasoning and language the utter incompetence of atheism to meet the innate convictions of the human conscience, and the necessity of belief in God as the only sound basis of morality and incentive to duty. The belief having been universal, to attempt to efface it would be to demoralise society. No religious principle should be attacked without extreme prudence and tenderness, for fear of the results of an abrupt change upon the public morals. "He who can replace the Divinity in the system of social life is in my eyes a prodigy of genius; he who, without replacing Him, seeks only to banish the thought of Him from the human mind, appears to me a prodigy either of stupidity or of perverseness." The Atheists, he proceeded to argue, had left behind them nothing but chaos and desolation; it was absolutely necessary to reconstruct society upon the principle of faith in a Supreme Being and in the immortality of the soul.

A.D. 1794. May 8.

To proclaim these truths, he said, was a perpetual appeal to justice; it was therefore in complete harmony with the character of the Republic. Robespierre hastened to guard himself, however, against the slightest suspicion of being disposed to re-establish Christianity and the Catholic Church. "Fanatics," he cried, "do not hope for any favour at our hands! To recall men to the pure worship of the Supreme Being is to deal a mortal blow to fanaticism. All fictions disappear before the face of truth, all follies fall to pieces before reason. Without constraint, without persecution, all sects ought to blend together of their own accord in the universal religion of nature. Let liberty of worship be respected, for the sake of the triumph of Reason itself; but let it not disturb public order, let it not become an instrument of conspiracy. Ye ambitious priests, do not suppose that we are going to exert ourselves to re-establish your empire! Such an enterprise would be beyond even our power. You have destroyed yourselves, and men cannot resume moral any more than they can resume physical life. Moreover, what connection is there between priests and God? Priests are to morality what quack-doctors are to medicine. Priests have created a god after their own likeness; they have made him jealous, capricious, covetous, cruel, implacable; they have treated him as the mayors of the palace treated the descendants of Clovis, so as to reign under his name, and to establish themselves in his place. The true priest of the Supreme Being is nature; his temple, the universe; his worship, virtue. What have ye done, O priests, to attest the genuineness of your mission? Have ye been more just, more modest, more devoted to truth, than other men? Have ye cherished equality, defended the rights of the people, abhorred despotism, and demolished tyranny? The sceptre and the censer have conspired together to dishonour heaven and to usurp the government of the world. Let us abandon the priests, and return to the Divinity!"

These specious yet superficial rhapsodies, redolent as they were of the teaching of Robespierre's favourite master in theology, Jean-Jacques Rousseau, aptly expressed the prevailing humour of the moment, and were greeted with prolonged acclamations. The obsequious Convention decreed, with the same headlong eagerness which it had shown six months before in proclaiming the exclusive worship of "Reason," that "the French people recognised the existence of the Divine Being, and the immortality of the soul;" that "the sole worship worthy of the Deity is the practice of moral virtue;" and that "a series of festivals should be instituted in order to recall men to the thought of God and to the dignity of their nature." The first of these festivals was appointed to be held on the 20th Prairial following. A clause was inserted in the same decree declaring that "liberty of worship should be maintained."

It was generally supposed at the time that Robespierre's object in this remarkable proceeding was to prepare the way for the abolition of the Terror, and a return to humane and civilised principles of government. This was most probably the case; and the significant advance from Atheism to the acknowledgment of a personal Deity may fairly be interpreted as an earnest of further meditated changes for the better. One thing, however, is certain: Deism was not more likely than Atheism to engage the lasting sympathies of a nation which could boast of an unbroken tradition of Catholic belief and practice such as France had enjoyed from the very dawn of its history. The new régime was inaugurated with much apparent zeal; addresses of congratulation poured in from the municipal magistrates, the Jacobin Club, the department of the Seine, and other public bodies; glowing orations were made in repudiation of Atheism and the goddess of Reason; and it was ordered that the churches should henceforward bear an inscription intimating that they were dedicated "to the Supreme Being."

But, notwithstanding these jubilant demonstrations, the reactionary movement quickly proved a failure. The very fervour of the revulsion stirred up feelings of antagonism against its author. Robespierre, though to all appearance at the height of power, and the idol of the multitude, was at the same time the object of much secret enmity, and that in opposite directions. On one side revolutionists of the extreme type of Tallien and Barère were plotting against him in the Convention; on the other, his credit was gradually undermined by the intrigues of concealed royalists, agents of the "emigration," and refractory priests. His pompous self-glorification on the festival of the Supreme Being (June 8) gave fresh irritation to all classes of his opponents, who thenceforth spared no pains to accomplish his ruin.

A pretext for attacking him soon presented itself in the ridiculous affair of Catherine Théot. She was an aged illiterate visionary, who called herself "the mother of God," and had gathered round her a band of fanatic votaries headed by the ex-Carthusian Dom Gerle, whom the reader will recollect as having signalised himself by his indiscretions in the Constituent Assembly. The proceedings of this strange sect were shrouded in mystery; but the vague reports of what passed at their meetings roused the suspicions of the Comité de sûreté générale, and the police laid hands upon the prophetess, Dom Gerle, and other proselytes, in a garret in the Faubourg St. Jacques. A letter was discovered addressed to Robespierre, in which he was styled "the son of God," the "eternal Word," "the Redeemer of mankind," "the Messiah of the prophecies." It appears also that Dom Gerle possessed a certificate of "civism" in the handwriting of the dictator himself. Upon these and other such slender grounds it was resolved to frame a report to the Convention representing Catherine Théot and her disciples as engaged in a conspiracy to establish a new religion;—the main object being to hold up Robespierre to public ridicule and odium

on the score of his connection (slight though it was) with the principal devotees. The scheme was successfully executed. The report, in which the real circumstances of the case were grossly misstated, distorted, and exaggerated, was read by Vadier on the 15th of June, scarcely a week after the "Fête de l'Être Suprême." On that day Robespierre occupied the president's chair, and was forced to listen with affected calmness to the damaging bill of indictment manufactured by his enemies.* He was not mentioned in it by name; but it abounded with sarcastic innuendoes intelligible to the audience, which galled and exasperated him beyond measure. Such was the rabid animosity which the Revolution had engendered against priests and priestcraft, that the merest suspicion of countenancing such agencies was sufficient to fix a stigma on the most splendid reputation. There is no doubt that the discredit cast upon Robespierre by this ludicrous transaction contributed in no small degree to precipitate his fall.

It was moved and voted in the Convention that Catherine Théot and her accomplices should be sent for trial before the Revolutionary tribunal; but Robespierre exerted all his remaining influence to prevent that measure, and it was never carried into effect. The soi-disant prophetess died in prison; Dom Gerle and his companions were set at liberty soon after the events of the ninth Thermidor, and the ex-monk subsequently obtained a trifling appointment under the Directory, and joined the ephemeral sect of the Theophilanthropists.

* Buchez, *Histoire Parlementaire*, tom xxxiii. p. 245 *et seq.*

CHAPTER VIII.

THE revolution of the Ninth Thermidor, which sent Robespierre and his accomplices to the guillotine, naturally brought with it a reaction to some extent in favour of religion and of the persecuted clergy. The change was not immediate, for the men who succeeded Robespierre in power —such as Tallien, Barras, Fouché, Thibaudeau, Barère— were not less fiercely hostile to Christianity and the Church than any of their fallen colleagues, and by no means disposed to repeal the bloodthirsty legislation of the Terror. But it was impossible to prolong that system in defiance of public opinion; and the terrible year 1794 did not close without evident symptoms of a return to a more moderate and tolerant state of feeling. Bishop Grégoire, on the 8th of December, made an eloquent appeal to the Convention in favour of the priests who had been treated with such infamous cruelty at Aix and Rochefort. "Do you think it necessary to ask," he exclaimed, "whether a man is a lawyer or a doctor before you do him common justice? Yet people dare to inquire whether this or that prisoner is a priest!" The matter was referred to the Comité de sûreté générale; Grégoire exerted himself with unflagging zeal to obtain from that body a just and merciful decision, and was successful in the end. Sixty survivors out of upwards of four hundred prisoners were set at liberty in February 1795, all the rest having perished under the torments of their captivity.

A second blow was dealt against the odious reign of persecution by a speech of Grégoire's in the Convention on the 23rd of December, in support of the "liberté des cultes." On this occasion, for which he had long been watching, the bishop protested in strong terms against the folly of attempting to overawe religious opinion by physical force. "Opinion can never be altered except by reasoning and conviction; it yields to the light of superior intelligence, but never to violence. The idea of coercing thought is chimerical; it is an enterprise beyond the power of man; it is tyrannical, for no one has a right to prescribe limits to the exercise of reason." Freedom of worship, he proceeded to argue, follows from freedom of opinion; if I have a right to believe, I have a right to express my belief: it is a natural privilege parallel to that of the liberty of the press; to violate it would be to sap the foundation of the social contract. He held, however, that the civil authority need not adopt or subsidise any particular form of worship, and ought not to do so, although admitting the right of every citizen to practise his own. It would be unjust on the part of the Government either to refuse protection or to show special favour to religion of any kind; it ought to abstain, both by word and deed, from outraging the feelings of any section of the nation, or trenching upon political equality; it ought to hold the balance evenly between all parties, to prevent men from molesting their neighbours, and to protect them from being molested themselves. "So long as a religion injures no one, and those who profess it adhere faithfully to certain political principles, it matters nothing to the State whether men are baptised or circumcised, whether they invoke Allah or Jehovah." The storms of the Revolution, continued Grégoire, had made severity a matter of necessity under certain circumstances. Representatives of the people had felt it their duty to prohibit religious assemblies in various departments, where the atmosphere was still infected by the

poisonous breath of royalism; but such measures, since they could no longer be defended on the score of the public welfare, ought now to cease. What, however, was the actual state of things? Liberty of worship existed in Turkey, but was not respected in France. "The people is deprived of a right which is enjoyed under the despotic governments of Morocco and Algiers. Let us no longer talk of the Inquisition, we have lost all right to do so; for although liberty of worship exists in theory, persecution, with all its tormenting dominion, is rampant over the whole soil of France." The least enlightened citizen must see that to boast of liberty and at the same time to withhold liberty of worship is simply a contradiction in terms, a violation of the most elementary rights. Thirty years ago almost all the Governments of Europe had begun to practise toleration, and the credit of this was attributed in great measure to the French philosophers, on account of their vigorous and persistent efforts to put a stop to persecution. What has been the result of these efforts? At the present moment the very founders of French liberty are compelled to be suppliants for toleration, which is denied to them in the name of Revolutionary freedom. Persecution is always execrable, whether practised in the name of religion or of philosophy; and frankly, said the bishop, if there must be fanaticism, and I had to choose between the two extremes, both which I abhor, I should prefer the fanaticism of the persecuted to that of the persecutor, and say, as the Duke of Guise did to Protestant Poltrot, "If your religion commands you to assassinate me, mine commands me to forgive you!"

During the three quarters of an hour that Grégoire was speaking, the Montagnards, he tells us, were like criminals stretched upon the wheel; their rage was vented in the most violent paroxysms, especially when he taunted them with the favour they had shown to the apostate priests who came to abjure their profession at the bar of the House.

Their statements, said the bishop, might be translated in the following fashion: For ten, twenty, thirty years past, I have been a cheat and a swindler; in consequence I demand that you express your high esteem for me, and testify it by granting me a pension! *

The Convention passed to the order of the day; but in reality the brave prelate had achieved a great success. Extracts from his speech were published in the journals, and produced an immense sensation throughout France and in other parts of the Continent.† Almost immediately afterwards Grégoire put forth a Pastoral letter on the subject of the "rétablissement du culte"—being the first document of that description that had appeared since the abolition of Christianity. This, again, was propagated by the press with the utmost eagerness, and had an extensive sale both in Paris and the provinces. Once more, as if in defiance of the appalling demonstrations of November 1793, was the mandement of a bishop publicly hawked about the streets of the metropolis, to the intense indignation of the Jacobins, who raved at the reappearance of the words *diocese, parish, Sunday, parochial mass,* and other ecclesiastical terms, which they flattered themselves they had suppressed for ever, and expunged from the French language.

A decided impulse had now been given to the policy of reaction; and measures for the restoration of freedom in religion were forced upon the Government by the irrepressible voice of public opinion. The popular demand was notified to the Convention on the 21st of February, 1795, in a celebrated report presented by Boissy d'Anglas in the

* *Mémoires de Grégoire,* tom. ii. p. 54.

† Grégoire printed his speech, and prefixed to it the following "Avertissement": "I have been calumniated in past years for having defended the mulattos and negroes, for having demanded toleration in behalf of Jews, Protestants, and Anabaptists. I have vowed to denounce all oppressors, all the intolerant; now I know no human beings more intolerant than those who, after having applauded the declarations of Atheism made at the bar of the National Convention, cannot forgive a man for holding the same religious principles as Pascal and Fénelon."—See *Mémoires de Grégoire,* tom. i. p. 93.

name of the Committees of Salut public, Sûreté générale, and Legislation. Boissy d'Anglas was by education a Protestant, but had abandoned all belief in Christianity, and was a philosophical freethinker of the most advanced type. His conduct on this occasion was prompted not by any desire to see religion re-established, but simply by the fact that the departments had protested so energetically against the intolerable yoke of persecuting Atheism, that the expression of their will was not to be resisted. The greater part of his speech consisted of a tirade against religion in general, which he characterised as a tissue of superstition and imposture, and the source of innumerable evils to mankind. With the progress of education and intelligence, these calamities, he predicted, would disappear. "Sound reason is the only means of putting down fanaticism and error; the certain effect of intolerance is to attach weak minds still more strongly to the practices which are proscribed." He advised, then, the establishment of perfect freedom with reference to all such matters: the way to extinguish sectarianism was to do justice impartially to all sects alike, without favour or preference to any. "Let religion be treated as an affair of private opinion; let its dogmas be ignored, let its errors be regarded with pity; but let all citizens enjoy the right to worship with whatever ceremonies their own taste and judgment may approve." The orator proceeded to expose the ruinous mistake of the Constituent Assembly in imposing the Constitution Civile du Clergé. Republican as he was, he had the good sense to perceive and the candour to acknowledge that the misfortunes of France were mainly traceable to the infatuation of their own party, as shown in their rash project of ecclesiastical reform. He pointed out that the Assembly had a fair opportunity of emancipating the body politic from the influence of religion, of enacting that all religions should be equally tolerated, that none should be salaried by the State, none recognised by public authority.

Instead of this, it had thought proper to create a pompous and expensive ecclesiastical establishment, almost on the same scale as that which it destroyed; it founded a hierarchy of such novel construction that certain ardent minds saw in it a return to the model of the primitive Church; and to this new-fangled institution (which was not less dangerous than those which preceded it) it had added the greatest scourge which could be inflicted upon any form of religion—it had provoked a schism which it had never been able to suppress.

Having glanced at the deplorable results of the proceedings—the strife between the two clerical denominations, the perpetual collisions between their partisans, the contradictory decrees of civil authorities, "sometimes philosophical and moderate, sometimes despotic and barbarous, almost always impolitic"—Boissy d'Anglas reminded the Convention that "the fabric raised by weakness and shortsightedness had been almost immediately demolished by madness and passion. It was destroyed with all the scandal of fanatical frenzy; it was trampled under foot by the Chaumettes and Héberts according to the impulses of their fierce and abject nature. Persecution and tyranny, cruelties and excesses of every description, followed; absurd ceremonies were devised to replace solemn observances, which had become all the more precious because they were proscribed. Thus had brigandage dishonoured a Revolution which had its origin in philosophy and sound policy; thus had regenerate France become a hideous spectacle of religious persecution, and a system of legislation which was designed to educate a nation of brothers was disgraced by the scaffold and the dungeon."

A decree in conformity with this remarkable speech was passed at the same sitting, of which the follwing were the chief articles. Agreeably with the Declaration of the "Rights of man," no form of religious worship can be

molested. The Republic grants no salaries to any; does not recognise any ministers of religion; assigns no buildings either for the exercise of religious rites or for the residence of ministers. Religious ceremonies are prohibited beyond the limits of the localities chosen for their exercise. No one can appear in public in the dresses or ornaments distinctive of any religious ceremonies. No peculiar emblem of religion can be placed outside any public edifice, nor any inscription indicating its designation; no public proclamation or invitation can be made to induce the attendance of citizens. No endowment can be formed by parishes for the maintenance of religion, nor can any rate be levied for such purpose. All assemblies of citizens for religious worship are subject to the surveillance of the constituted authorities, which extends, however, only to police regulations for public security. Nothing in this decree was to be construed as adverse to that of the previous September, by which pensions were promised to those ecclesiastics who abjured their functions, or had declared themselves ready to officiate when desired.*

Considering the prevailing state of anarchy, and the fierce antagonisms which reigned in the Convention, this was an important step gained, both in the interest of social order and of religious reorganisation. The friends of the Church were instantly on the alert, and eagerly availed themselves of the implied permission to reopen the churches and resume the celebration of Catholic ordinances. The parochial clergy of St. Sulpice were among the first to test the profferred indulgence of the Convention, by opening several chapels or oratories in the Faubourg St. Germain; these were forthwith thronged by crowds of the faithful, with fervent demonstrations of thankfulness and joy. Wherever similar opportunities were offered, equal enthusiasm was manifested. At

* *Moniteur*, Séance du 3 Ventôse (21 Février 1795). *Choix de Rapports*, &c., tom. xv. p. 229.

Châlons-sur-Marne (as we learn from a contemporary journal) the publication of the decree produced the happiest results. The magistrates announced it to the inhabitants by sound of drum, and the tidings were welcomed with shouts of transport. "People seemed as if starting from a lethargic slumber into renovated life. Yesterday (the 2nd Sunday in Lent, when the gospel for the day is the account of the Transfiguration) was like a day of general resurrection. All work was laid aside, and the shops closed throughout the town. Every one repaired with alacrity to St. Peter's Church, the doors of which had been thrown open by the two proprietors of the building, after some hasty preparations for Divine service. The first mass was said at seven o'clock, a second at eight; high mass was solemnly chanted at half-past nine, preceded by the Veni Creator. It is impossible to describe the delight which filled all hearts at this moment. Men were almost beside themselves with ecstasy when they heard the sacred vaults resound with the praises of the Lord after so long a period of discontinuance. Numbers of worshippers were affected to tears; all with one consent prostrated themselves with their faces to the earth, in lowly compunction and penitence for their past aberrations. The snow and rain, which were incessant through the day, did not in any degree abate the zeal of the citizens. From early morning up to noon the concourse was such as to suggest a literal application of the prophetic words addressed to the Church by Isaiah: 'The children which thou shalt have shall say in thine ears, The place is too strait for me; give place to me that I may dwell. Thou shalt say in thine heart, Who hath begotten me these, seeing I had lost my children? Behold, I was left alone; these, where had they been?'" *

Although the law of the 3rd Ventôse was somewhat

* See the *Annales de la Religion*, tom. i. p. 64.

equivocally expressed, and contained many vexatious restrictions, its general purpose was so evident that in most of the rural districts the churches were reopened, and the clergy, both "Constitutional" and orthodox, were reinstated in their functions. On the occasion of the treaty of peace between the Convention and the insurgents of La Vendée, in April 1795, the restoration of the Catholic religion followed almost as a matter of course throughout the Western departments; and steps were taken to that end by the Republican authorities themselves. "The representatives of the people with the armies of the West, considering that many citizens attached to different religious denominations were not yet in the enjoyment of full liberty of worship," ordained that the officers of the district might, on the personal demand of citizens to that effect, assign to them provisionally the occupation of a national building for the purpose of religious worship, on condition of their making arrangements with the present proprietors as to the terms of lease or possession, according to law.*

But the bigotry of those who had been labouring for so many years past in the work of "decatholicising France" was not to be extinguished without a protracted struggle. In many districts the magistrates exerted themselves by unfair and arbitrary proceedings of all kinds to obstruct the execution of the law of the 3rd Ventôse. If a priest, on opening an oratory, exhorted the faithful to come and hear mass on Sundays and Festivals, he was forthwith denounced for having insulted the Republican Calendar, which was still legally in force. Sometimes meetings for worship on Sundays were expressly prohibited. "Refractory" priests, who had ventured, somewhat prematurely, to officiate in their former parish churches in the departments of the Oise and Seine et Oise, were arrested and imprisoned by order of

* *Annales de la Religion*, tom. i. p. 66.

André Dumont. Several citizens who petitioned for their release were imprisoned likewise; and Dumont insisted that the Terrorist legislation should be enforced to its full extent. La Réveillère Lepeaux, one of the chief patrons of the fantastic sect called "Théophilanthropes," supported these severities, and it was even moved that every one found guilty of assisting in the re-establishment of religious ceremonies in the ancient churches should be punished with six months' detention. But this was firmly resisted by all the friends of moderation, especially by Lanjuinais, who was rapidly acquiring prominent influence in the Convention. His opposition defeated the retrograde project; and shortly afterwards, when the position of the Convention had been strengthened by its victory over the insurgents of Prairial (May 20, 1795), he succeeded in carrying a further measure which promised a definite adjustment of many existing anomalies.

A.D. 1795. May.

The language of a report which he presented on the 11th Prairial was far more unequivocal than had hitherto been ventured on. Certain provincial authorities, he said, were attempting, by means of private circulars and unauthorised edicts, to prolong the persecuting system of the Héberts, the Chaumettes, and the Rossignols. They had made it a crime to celebrate religious worship in those national edifices which had always been dedicated to that purpose,—the only buildings in which citizens could assemble without danger to their health and to their lives. "The enemies of liberty had closed the churches with a view to demoralise and disorganise the people. They succeeded only too well in their barbarous designs. Your duty, your principal function as legislators, is to repair the misfortunes which in consequence have fallen upon France. Among the causes which at the present moment alienate vast numbers of citizens from you and from the Republic, I place in the first rank the suppression of religious worship, which was brought to pass in your name, with violence, fury, and frenzy of every kind, by the lieutenants and agents

of Robespierre. If you desire to conciliate hearts profoundly wounded, and to extinguish the seeds of discord and revolt which your Committees already discern, and whose fruits would be disastrous, let no time be lost in restoring, not in name merely but in reality, freedom of religious worship by replacing parishioners in quiet possession of their parish churches. You have already provisionally restored the temples to our misguided and at one time rebellious brethren in the departments of the West; impartiality and justice will surely not permit you to treat with less indulgence departments and parishes which have always remained faithful."

Lanjuinais concluded by proposing a decree to the effect that citizens should have the free use of such churches as had not been alienated, and had been in use up to the first day of the second year of the Republic (the 22nd of September, 1793). They were to be delivered over to the parishioners in their actual state at the moment, and to be maintained and repaired at their expense, without any compulsory rate. When citizens of the same commune practised different forms of worship, "or forms asserted to be different," and applied for the use of the same building, it was to be assigned in common to both, and the authorities were to fix the days and hours most convenient for each congregation, and to arrange the necessary measures for maintaining decency and peace. No one was to be allowed to officiate in any of these edifices until he had subscribed in the presence of the municipal officers a formal declaration of "submission to the laws of the Republic." Any infraction of this article was to be punished by a fine of 1,000 livres. Lastly, it was decreed that only one church should be assigned to each of the twelve arrondissements of Paris; which number, however, was soon increased to fifteen. These were Notre Dame, St. Sulpice, St. Eustache, St. Roch, St. Germain l'Auxerrois, St. Etienne du Mont, St. Nicolas des Champs, St. Philippe du Roule, St. Thomas d'Aquin, St. Médard, St. Jacques du

Haut Pas, St. Merry, St. Gervais, St. Laurent, and St. Marguerite. Oratories were likewise opened in various quarters of the capital.*

These were large concessions on the part of such a government as was now in power; and sanguine hopes were kindled in consequence in the hearts of the whole Catholic population. But the Declaration demanded of the clergy as the condition of resuming their ministrations became a source of renewed difficulty. The Convention foresaw the objections which might be started, and published a circular with a view to obviate them; pointing out therein that the new law was to be interpreted in all cases in accordance with the main principle which it was designed to establish, namely, entire freedom in the exercise of religious worship. The required declaration, it was stated, had no reference whatever to the past; no inquiry was to be instituted either as to the former history or the present sentiments of those subscribing it; all that was asked was an engagement to obey the law; any attempt to impose a further test of any kind would be an abuse of authority. The circular also announced distinctly that "the Constitution Civile du Clergé was no longer a law of the Republic;" and intimated that pretensions had been advanced with regard to it which could not in future be sanctioned by authority. In case of further difficulties, it was always to be borne in mind that the object of the law was to facilitate and secure more and more completely the liberty of citizens in all matters relating to religious worship.†

But in spite of these explanations the Declaration was differently viewed by different sections of the clergy. At Paris it was generally considered unobjectionable; a conclusion which seems to have been chiefly due to the influence of the Abbé Emery, then at the head of the "Conseil Archi-

* *Annales de la Religion*, tom. i. p. 142.

† *Annales de la Religion*, tom. i. p. 454.

épiscopal," in the continued absence of Archbishop de Juigné. His judgment rested on the broad ground of the duty of obeying "the powers that be;"—a principle laid down positively in Scripture, and acknowledged by the Church of all ages under whatever form of government. In the eyes of others, however, it was not permissible under any circumstances to come to terms with rebels and traitors, or to recognise in any way their usurped authority. Many, therefore, rejected the declaration absolutely; others attempted to stipulate for various qualifications and restrictions, which the magistrates refused to allow. The consequence was that in several districts churches which had been reopened in virtue of the law of Prairial were again closed; the priests incurred the suspicions of Government as disaffected and seditious, and were obliged to conceal themselves through fear of the penal legislation of the Terror, which was not yet repealed. In vain the Abbé Emery represented that *submission* to a law does not necessarily imply *approval* of it; one may *submit* to laws which in themselves are unjust, and even to a Government which one believes to be tyrannical and injurious to the nation. "For instance" (thus he writes to a friend), "take the law of divorce. I *submit* to that law, that is to say, I will not employ violence in order to prevent its execution; but nevertheless I openly express my opinion that it is contrary to good morals and to the Gospel. The law of divorce was in force for hundreds of years under the government of the Roman emperors, even after their conversion to Christianity; and yet did not the Christians of those times always make profession of being subject to the laws of the empire?" Again, he adds, "If one lives in a Protestant country, or among Mahometans, or idolaters, is it not under the condition, either explicit or implicit, that one will submit to the laws of the land? And yet, in such countries, how many of the laws must inevitably be anti-Christian or anti-Catholic! But unfortunately"—such is his concluding reflection—

"unfortunately there are so many ecclesiastics who have not even the most elementary notion of the law of nations or of political jurisprudence!" *

During the last few months of the rule of the Convention the course pursued on ecclesiastical questions fluctuated strangely, according to the changeful circumstances of the day. In the Western departments, where symptoms had appeared of a fresh outbreak against Republican government, it was thought desirable to treat the clergy with some indulgence as to the Declaration of conformity. It was announced that any reasonable explanation or restriction would be admitted in the act of subscription, in order to meet their conscientious scruples; and accordingly a large body of "refractory" priests signed the Declaration at Rennes (July 2, 1795), in the following form: "I, the undersigned, nonjuring priest, considering that I am authorised to insert in the declaration required by the law of Prairial all restrictions relating to my religious principles, and that this act of submission applies to civil objects only; Considering, also, that I am not obliged thereby to communicate with, nor to occupy temples jointly with, priests who have adopted the ci-devant Constitution Civile du Clergé, and whom I regard as separated from my communion; Considering, lastly, that all the latitude which alarmed consciences can require is promised by the recent proclamation of the representative of Government; declare that, under express reservation of everything that concerns faith and morals, the discipline and hierarchy of the Catholic, Apostolic, and Roman Church, I submit to the purely civil laws of the Republic."

In the diocese of Lyons, on the other hand, the officers of the Convention refused to lend themselves to any such conciliatory measures. On their expressing surprise that the clergy had not yet come forward to make the prescribed

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* *Vie de M. Emery*, tom. i. p. 372.

Declaration, the Vicars-general replied by offering, in the name of all priests within their jurisdiction who proposed to officiate in accordance with the new law, to sign the act of submission with the same restrictions which had been accepted at Rennes. Archbishop Marbeuf (then in exile in Belgium) wrote to approve this proposal, but stated at the same time his conviction that no reservations would practically avail, and that the Government merely sought a pretext for recommencing their outrageous hostilities against the Church. This forecast proved correct. The agents of Government refused to sanction the proposed restrictions; and the clergy found themselves in consequence unable to satisfy the law. Many churches, nevertheless, were reopened in different localities, and ordinances were celebrated; but this took place by the special connivance of the municipalities, and, strictly speaking, was illegal.

Events occurred in the summer of 1795 which rekindled serious animosity between the Convention and the orthodox Catholics of France. The civil war in La Vendée, which had been brought to a temporary close by the pacification of the 20th of April, broke out afresh two months later. A large body of emigrant Royalists was collected in England, with the sanction and co-operation of Mr. Pitt, for a descent upon the coast of Brittany; and the expedition, under the orders of the Count de Puisaye, landed towards the end of June in Quiberon Bay. Every effort was made on this occasion to maintain the spirit of religious enthusiasm which had so strongly marked the former memorable struggles in that part of France. Thirty or forty priests accompanied the invaders, headed by the venerable bishop of Dol, Mgr. de Hercé. That prelate, who had been sojourning for several years among the refugees in England, deemed the opportunity propitious for an attempt to recover possession of his see, and had procured from Rome a brief appointing him Vicar Apostolic throughout the province of

Brittany. At first the enterprise promised to be successful. Six thousand troops landed on the peninsula of Quiberon, and captured Fort Penthièvre, which commands it. The inhabitants welcomed them with exuberant joy. The churches of Carnac and the neighbourhood were forthwith reopened by the bishop and his clergy, purified from the abominations of the Terror, and restored to Catholic worship; and the united cause of royalty and religion seemed destined once more to triumph. Such hopes, however, were but momentary. The Republicans, under General Hoche, quickly recaptured Fort Penthièvre, and after a desperate contest the survivors of the Royalist army, with their gallant leader the Comte de Sombreuil, were compelled to surrender on the 21st of July. A verbal promise was given, it seems, that the lives of the prisoners should be spared; * but this was cruelly ignored by the Convention, and a commission presided over by Tallien condemned them to be shot. The sentence was executed at Vannes on the 30th of July. The noble-hearted bishop of Dol suffered among the first, having refused to avail himself of an opportunity offered him of escaping to the British squadron in the bay; with him perished his brother the Abbé de Hercé, and sixteen other priests. The number of military victims was close upon seven hundred. The spot where they fell, a meadow near Auray, received the name of the "Prairie des Martyrs," and is frequented to this day by crowds of sympathising pilgrims.

These tragical scenes, added to intrigues of a somewhat different kind in which the clergy rashly engaged in the first fervour of the reaction after the overthrow of Robespierre, greatly embittered their relations with the government of the Convention, and stirred up afresh the slumbering fires of persecution.

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* Upon the question of the capitulation, real or supposed, see Louis Blanc, *Hist. de la Révolution*, tom. xii. pp. 423 *et seq.*

Complaints were made, and not unnaturally, from the Republican point of view, that the friends of the Church, instead of showing gratitude for the signal clemency with which they had been treated by the State, had only become more savage in their resentments and more audacious in their schemes of counter-revolution. No sooner had Atheism been proscribed, persecution suppressed, and laws adopted for securing religious liberty and the tranquillity of conscience, than the priests who were faithful to the Revolution found themselves fiercely attacked by their "refractory" brethren, and those who had been banished returned in crowds to France, proclaiming themselves the sole depositaries of the Catholic religion. Bands of "oppressed patriots" made their appearance on the frontiers from Switzerland, from Rome, from Vienna, from London, and spread themselves through the country, advocating the restoration of Royalty and the massacre of the representatives of the people, "all for the greater glory of God and the safety of the Republic." * Nothing, it must be confessed, could be more unwise than this exhibition of reactionary zeal at such a moment; and in addition to this, the clergy were charged with having sanctioned, if they did not instigate, the terrible acts of retaliation perpetrated in the prisons of Lyons, at Marseilles, Nismes, Tarascon, and other localities of the fiery South.

It was under such provocation that the Convention once more reverted to that repressive and vexatious policy towards the nonconformists, the futility of which had been repeatedly admitted by its own partisans. On the 6th of September a decree was passed which renewed and enforced the penal laws against recusant priests re-entering the territory of the Republic. They were to be banished for life

* See *Rapport sur la Réaction*, by Chénier, *Choix de Rapports de Moniteur*, tom. xv. p. 103.—Quartidi 4 Brumaire, l'an 4 (Lundi, 26 Octobre, 1795).

within the space of fifteen days. Those who refused to make the declaration under the law of the 11th Prairial, or who appended restrictions to it, or who, having retracted it, nevertheless continued to exercise their ministry, were to be immediately arrested and imprisoned. Magistrates were ordered to inquire strictly into counter-revolutionary proceedings by the clergy, such as sermons or addresses impugning the laws of the Republic and tending to the re-establishment of Royalty. These offences were to be punished according to former enactments still in force.*

Shortly afterwards (6 Vendémiaire, September 29, 1795) the Comité de Législation published an elaborate code of regulations on this subject, in thirty-two articles. Its main object was to institute efficient checks upon the progress and revived ascendency of the ancient Religion and the ancient Church; a purpose which, although carefully veiled under professions of absolute neutrality towards all forms of religion, was clearly discernible in some of its details. A new declaration to be made by officiating clergy was now substituted for that of the law of Prairial. Its terms were as follows: "I acknowledge that the whole community (*l'universalité*) of French citizens is the sovereign power; and I promise submission and obedience to the laws of the Republic." † This test was imposed in addition to and irrespectively of any previous act of submission; and any form containing either more or less than its *ipsissima verba* was pronounced null and void. In order to guard against attempts to render any sect 'exclusive or dominant,' it was enacted that parishes could not, in their collective capacity, purchase or hire any locality for the exercise of public worship, nor form any endowment or assess any rate for the expenses of Divine worship, nor for the residence of the clergy. One article, the 22nd, strikes manifestly at the

* *Moniteur*, Quartidi 24 Fructidor, l'an 3. † Articles v., vi., vii., viii.

jurisdiction of the Pope. "Any minister of religion who, beyond the limits of the building where he officiates, shall read or cause to be read, or distribute or cause to be distributed, any document emanating from *a minister of religion who does not reside within the French Republic*, or even from a minister residing in France *who is the delegate of one who does not reside there*, shall be condemned, without reference to the tenor of such document, to imprisonment for six months, or, in case of a second offence, for two years."

The penalty of imprisonment for life was denounced against any ecclesiastic who might in whatever manner express sentiments of the following description: opinions favourable to the re-establishment of Royalty, to the abolition of the Republic, or the dissolution of the national legislature; or tending to incite citizens to desert the national standards, to betray the cause of the Republican constitution, or to abandon the defence of liberty; * while any attempt to censure or condemn as criminal the confiscation of property formerly belonging to the clergy or the emigrants, subjected the offender to punishment by fine and imprisonment, as well as by prohibition to officiate for the future.†

How far this latest criterion of good citizenship could be conscientiously accepted became a question no less warmly discussed among the clergy than any similar difficulty since the promulgation of the Constitution Civile. At Paris opinion was much divided; and party spirit rose to such an extravagant height, that those who took opposite views upon the matter refused to communicate with each other, and mutually denied the validity of their ecclesiastical acts. The "Conseil Archiépiscopal" declined to pronounce upon the merits of the case, but stated plainly that, whatever

* Article xxiii. † Article xxiv.

course might be preferred by individuals, it could form no excuse for schism; the faithful were bound to hold communion with all priests without distinction, whether conforming to the new mandate or resisting it, until such time as a positive decision had been received from Rome.

The conduct of the Abbé Emery on this occasion was marked by the fairness, moderation, and forbearance which might have been expected from his antecedents. He complained of the misplaced zeal and captious prejudice of those of his brethren who had objected to the first declaration, which simply expressed a general submission to the laws of the Republic. Had this been frankly accepted, he believed that nothing further would have been demanded; the clergy would have escaped the imputation under which they now laboured, of being irreconcilably hostile to the Republic; and the condition of the Church would have been far less melancholy. With regard to the substance of the declaration (that the sovereign power belongs to the "universality" of the French nation), Emery observed that it might be taken either as enunciating a political principle or as merely stating a matter of fact. In the former case he could not assent to it personally, though acknowledging at the same time that the point is contested, that neither Scriptural nor ecclesiastical authority has treated it conclusively, and that the contrary opinion to his own has been held by a large number of learned canonists and divines, such as Suarez, Salmeron, and Navarre, without going so far back as Gerson and Jacques Almain. He concluded, then, that that opinion was still tenable; that on no account could it be made the ground of ecclesiastical division; that bishops or grand-vicars who might suspend priests from their functions by reason of their making the declaration, would be guilty of gross abuse of authority, and that private Catholics refusing to accept their ministrations would be inexcusable. The self-same doctrine had been laid down in the "Declaration

of the rights of man" by the Constituent Assembly: that document had been subscribed by bishops, ecclesiastics of the second order, and lay deputies; yet no one had ever imagined it necessary to break off the relationships of Christian brotherhood with them. On the other hand, if the Declaration were understood simply as reciting a fact—that the supreme power in France was at that moment in the hands of the collective body of citizens—Emery considered that it might be subscribed without objection, inasmuch as the statement was unquestionably true. Whether, however, this was a fair interpretation to put upon it, with reference to the "animus imponentis," he thought a doubtful point.

Emery composed at this time several memoirs and essays with a view to elucidate the difficult problem how far, and in what circumstances, a nation is authorised to change the form and constitution of its government at its own pleasure. He truly remarked that when the Convention appealed to the "sovereignty of the people," it meant to assert by that phrase a principle which was considered to legalise and justify all the momentous acts of the Revolution. All that had been done during the last few years reposed upon the basis of the supreme will of the nation. The nation, it was contended, was in such sense sovereign that it had the right to depose the reigning monarch at its pleasure, and that independently of the good or bad conduct of the individual who wore the crown. This, then, was clearly the real meaning of the language of the late declaration. The king being only the mandatory or delegate of the people, those who intrusted him with that charge have always power to revoke it for reasons which seem to them conclusive. This doctrine Emery distinctly combated; maintaining that if the origin of sovereignty be strictly scrutinised, it will be found in most cases to have been conferred on the ground of public services either rendered or expected; and that if,

nevertheless, subjects are at liberty to dethrone the sovereign whenever they think fit, this is to sanction gross injustice, and to place them in a degrading and dishonourable position.

The Abbé, however, did not allow his private sentiments upon this vexed question to interfere with what he deemed the primary duty of submission to established authority. He deeply deplored the scruples which induced so many of his brethren to take an attitude of disaffection and insubordination; and we find him hinting, in his correspondence, that such behaviour was not always prompted by the purest and most elevated motives. Thus he writes to the Abbé de Villèle: "The policy of those who repudiate the declaration of submission is somewhat coloured, I fear, by aristocratic feeling, which feeling is greatly mistaken and misplaced. Oh, if men had but always before their eyes that precept of our Lord, Seek ye first the kingdom of God and His righteousness, and all these things shall be added unto you! If we had busied ourselves solely, or even principally, with the affairs of God, He would have made provision for our worldly affairs! You would be shocked if you could see how damaging to the cause of Religion are the prejudices of certain men who are governed by counter-revolutionary views of an ill-judged sort—men who make of Religion not an end, but merely a means!" *

Notwithstanding the conciliatory administration of the authorities at Paris, the discord among the clergy as to "submission to the Republic" continued with unabated bitterness. Division appeared at length even in the Archiepiscopal Council itself. One of its members, M. Becher, retracted his adhesion to the declaration, and was followed by a considerable number of ecclesiastics of the diocese: so that two opposite parties were formed, designated as

* *Vie de M. Emery*, tom. i. pp. 368–95.

Becherists and Dampierrists, the latter taking its name from M. Dampierre,* one of the vicars-general who supported the views of the Abbé Emery. In other dioceses the authorities gave contradictory decisions on the point at issue; and these collisions added grievously to the prevailing anarchy in the Church. In some quarters it was attempted to adjust matters by steering a middle course; priests who felt it their duty to submit signed a previous declaration for the satisfaction of their superiors, by which they repudiated any inference which might be drawn from such submission in opposition to the principles and authoritative decisions of the Church. This expedient, however, was but partially successful in removing prejudice and promoting the restoration of unity. On both sides the plain obligations of Christian charity were persistently ignored; and it was this second schism that gave birth in the sequel to the bigoted clique known as the "Petite Église."

On the famous "Day of the Sections" (13 Vendémiaire, October 4, 1795) the Convention overthrew a powerful coalition of royalists and other malcontent classes; which success was mainly due to the firmness and brilliant ability of Napoleon Bonaparte. This counter-revolutionary effort was the work of various elements; but the intrigues by which it was prepared were commonly ascribed to the emigrants, and especially to the priests who had lately returned in great numbers to France. The imputation was too well founded; and it is not surprising to find that the victory was signalised by a renewal of severities against the prostrate, but still unconquered, Church. A.D. 1795 October 4.

A vindictive decree was passed at the closing sitting of the Convention (October 25), directing that "the laws against refractory priests should be put in execution within twenty-four hours throughout the territory of the Republic,"

* Afterwards bishop of Clermont.

and that "magistrates neglecting to enforce them should be punished with imprisonment for two years." * This was virtually to abrogate all the measures of the Thermidorian reaction in favour of religious liberty, and to re-enact the sanguinary legislation of the Terror.

The Convention terminated its labours on the 26th of October. Its last act was to proclaim a general amnesty extending over the whole period of the Revolution; and in the bitterness of its vengeance against the agitators of the 13th Vendémiaire, it expressly excepted from the benefits of that concession "all priests who had been banished, or who were subject to the punishment of banishment."

It appears, however, that these barbarous enactments of the expiring legislature were only partially carried out. Public opinion would no longer tolerate such enormous injustice. In some few departments the authorities felt themselves bound to put the law in motion, and nonconforming priests were once more consigned to prison or driven into exile; but, generally speaking, they were left for a time unmolested.

* *Moniteur*, Séance du soir, 3 Brumaire, l'an 4.

CHAPTER IX.

THE Directory, which now succeeded to power, was not a whit less violently anti-Christian than the governments which preceded it; indeed, one of its first official documents breathed a spirit of almost unparalleled malignity against the Church and its ministers. "Wear out their patience!"* such were the instructions forwarded from Paris to the provincial magistrates; "disconcert their perfidious schemes by a continual, active, indefatigable vigilance; destroy their measures, thwart their manœuvres, give them no rest day or night; without perceiving you, let them feel your presence everywhere and at every moment." It was announced that any negligence or laxity in obeying these directions would expose the offenders to prompt and condign punishment. Persecution accordingly recommenced; and during the first few months of the year 1796 no less than twenty-one priests were put to death either by sentence of the criminal tribunals or by the vengeance of the "patriots" without any formality of trial. Such was the zeal of the new Government against the agents of counter-revolution that it denounced the use of the church bells, which had lately been resumed in certain quarters, as likely to become a dangerous instrument of sedition and revolt. The Council of Five Hundred decreed on the 11th of April, 1796, that "it was important

* "Désolez leur patience!"

to the maintenance of public order to deprive agitators of every means of stirring up strife, and in particular to put a stop to seditious assemblies under pretence of celebrating religious worship." In consequence, any person who might summon citizens to any meeting for religious purposes, either by tolling bells or otherwise, in contravention of the law of 3 Ventose, l'an III, was declared liable to imprisonment for six months for the first offence, and a year in case of a second. Ecclesiastics who might order or sanction any such acts incurred a year's imprisonment for the first offence, and were condemned to transportation for the second. This absurd law was passed amid considerable laughter, and apparently was never executed; but a few weeks later the friends of persecution returned to the charge, and a fresh edict of proscription was proposed by a deputy named Drulhe, a renegade priest of Toulouse, who demanded that all the penalties denounced in 1792 and 1793 should be immediately re-enacted, and, moreover, that no exception to these rigours should be made in favour of those priests who had taken the oath of "liberty and equality," and signed the declaration of submission to the laws of the Republic! Several members protested against this outrageous breach of faith, and insisted that the only priests who deserved punishment were those who refused to profess submission to the actual Government: but in vain. The proposition of Drulhe was adopted by the Five Hundred with slight alterations; but the Constitution now in force had fortunately provided a second Legislative Chamber, and in the "Council of Ancients" the measure was powerfully combated and defeated. In the sitting of the 25th of August, Goupil de Prefeln, the *rapporteur*, announced that such a step might not improbably rekindle the flames of civil strife in the departments of the West. Portalis, a member who was to rise in the course of a few years to a position of the highest distinction, made himself known on this occasion as a fearless advocate of religious toleration. His speech is so

full of sound reasoning and truly liberal sentiments, that it might well be transferred entire to our pages. "The non-execution of laws," he observed, "arises too often from the errors of the laws themselves. The measures now proposed were taken originally under the Reign of Terror. How were they carried into effect? It was necessary to be continually struggling against public opinion, against mercy, against all sentiments of religion and all human affections. Every day a fresh measure was required in order to support the measure of the day before. They were obliged to threaten the harbourers of ecclesiastics with the same penalties that had been pronounced upon ecclesiastics themselves. In spite of this, threats were disregarded, and places of retreat offered to the unfortunate became more and more numerous. It is impossible, for the sake of the happiness of mankind, to root out from the heart every feeling of commiseration and of justice. Even the most apparently absolute power will encounter at each step unforeseen obstacles to arrest its march. It may be compared to a tempestuous sea, which vainly expends its fury against the barrier of a sandy shore."

After declaiming indignantly against the abominable injustice of retrospective legislation, and the wrongfulness of including in one sweeping sentence a whole class of citizens, some of whom were quite innocent, while numbers of them, if guilty, were so only in various categories and degrees, Portalis concluded with a stirring peroration on the necessity of abandoning for ever all violent interference with the sovereignty of conscience. "Do we desire to see the fulfilment of that prediction of Jean-Jacques Rousseau, that 'if the philosophers should ever attain to supreme power, they would prove more intolerant than the priests'? Force is powerless over the conscience, that most rebellious of our moral faculties; force provokes, but never persuades. Do we wish to deal a mortal blow to fanaticism? Let us uphold liberty of conscience. Our business is no longer

to destroy—the time for that is past: we are now called upon to govern."

The statesmanlike arguments of Portalis made so great an impression upon his audience that the proposed decree was almost unanimously rejected.* The Executive Directory, however, persisted in withstanding the current of feeling which had manifestly set in towards an impartial policy in matters of religion; and a serious division was thus formed between the different departments of Government. The two Councils, especially that of the Ancients, were powerfully influenced by men of reactionary, and indeed of Royalist, views. There was still a majority of Republicans, for the Convention, on resigning office, had stipulated that two thirds of its members should be included in the legislative body about to be elected; but the opposition could boast of many names of weight and eminence, such as Pichegru, Lanjuinais, Barbé-Marbois, Boissy d'Anglas, Siméon, Mathieu Dumas, and Tronçon du Coudray; this group was reinforced in the spring of 1797 by the election of Royer Collard, Corbières, Camille Jordan, and others of similar mark.

A.D. 1797.

At the opening of the session of that year Pichegru was named president of the Council of Five Hundred, and Barbé-Marbois of the Council of Ancients; while at the same time the Director Letourneur, who retired by rotation, was replaced by Barthélemy, a well-known anti-Republican. The new blood thus infused into the Legislature took immediate action in the arduous task of moral reconstruction. A Committee was appointed to revise the laws of the Revolution, more particularly those affecting public worship and the clergy; and on the 17th of June, Camille Jordan, a young barrister from Lyons, presented its report, which is a document of singular ability and interest. The freedom of its

* *Moniteur*, Séances des 7, 8, 9 Fructidor, 24, 25, 26 Août, 1796.

language clearly indicates the depth and strength of the revulsion of public opinion which at that moment was passing over France. Jordan pointed out with stern emphasis the true sources which had produced the existing state of confusion and distress. "Within the last few years we have enacted thousands of laws;* we have reformed all branches of our jurisprudence; and yet never has this noble empire been more shamefully ravaged by crime. Why is this? Because you have displaced from the hearts of Frenchmen that great law which was implanted there by nature, that law which alone distinguishes right from wrong, which alone gives authority to every other legislative statute. Recall that mighty law to life and energy; grant to all forms of religious worship the faculty of re-establishing it in every heart; then we shall have no further need of all this apparatus of ordinances and penalties. Religion, of whatever shape, ought not only to be tolerated, but protected; because all religion promotes morality, and is therefore beneficial to mankind. To proscribe religion of any kind in France, after the sanguinary lessons that we have received, would be an impious thought; it will never find admission among the representatives of the people; it is execrated within these walls. I swear it by the shades of five hundred thousand Frenchmen slaughtered on the plains of La Vendée,—that awful monument of the madness of persecution and the extravagances of fanaticism! Let our fellow-citizens be henceforth fully reassured; I renew to them in your name the sacred promise —Religious worship is free in France!"

Jordan went on to show that under the system thus proclaimed it would be impossible to enforce the acceptance of religious legislation by oath. The nation, he said, was

* Count De Maistre (*Considérations sur la France*, p. 91) computes that from the 1st of July, 1789, to October 1791, the National Assembly passed 2,557 laws; the Legislative Assembly added 1,712 in eleven months and a half; and the Convention, between September 22, 1792, and October 26, 1795, enacted no fewer than 11,210. Total, 15,479.

weary of such engagements, the effect of which was to torment the consciences of the good, while they imposed no practical restraint upon the wicked. "Good citizens will always be faithful without oaths; bad citizens will be rebellious in spite of any and every oath." Adverting to the declaration of "submission" lately exacted, Jordan maintained that it was clearly inconsistent with the principle of equality, inasmuch as it applied only to one class of the community. "The Republic recognises no form of religion, and takes no account of priests as such; why then should it subject priests to an exceptional treatment? Why demand of them declarations which are not required of other citizens? You believe in the good faith of others without this promise; why may not ecclesiastics be honoured with like confidence? By singling out the priest as the object of suspicion, you turn all eyes upon him; you invest him with the importance of which you profess to deprive him; you exhibit to us the priest where we ought not to see anything beyond the citizen." For years past the clergy had been so harassed by insidious formularies, and suffered so much from various attacks upon their conscience, that they now suspected a snare even in the most harmless phrases; they were afraid of seeming to approve of every law to which they might promise submission; for instance, the law of divorce, which was altogether contrary to the precepts of the Catholic Church. But these were merely mistaken scruples, mere details of religious opinion and feeling; and therefore belonged to that category of matters indifferent, which the Republic was bound by its own professions to treat with impartial respect. Jordan concluded this telling speech by demanding the restoration of all the external signs and symbols of religion; the accustomed ceremonies at funerals, the use of the cross, of bells, and other time-honoured practices, which spoke to the hearts of the people, and encouraged some of the noblest sentiments and instincts of man's nature.

A second report followed, presented by Dubruel, which had for its object the total abrogation of the penal laws against the clergy, and their reinstatement in all rights and privileges of French citizens. This motion introduced to the Assembly another of its junior members who was soon to take distinguished rank among French orators, Royer Collard. "The priests," he cried, "are accused of hating Republican government; if you mean the government of the Revolution, I can easily believe it, considering the persecutions and injuries of every kind of which they have been the victims. But the Government which has put a period to their sufferings, which has restored their churches and rebuilt their altars, which desires and purposes to repair whatever is capable of reparation, what reason can they have for hating such a government as this? No doubt, after long years of deadly discord, there must and will be implacable memories and undying enmities; but experience teaches, and your own hearts bear witness, that such memories and enmities belong *to the oppressor*, who, refusing forgiveness to others because he cannot obtain that of his own conscience, condemned perpetually to add crime to crime, will always be the true and sole enemy of internal peace to the nation which he has wronged. The *oppressed*, on the contrary, especially after he has formed a settled habit of resignation, regards as a positive benefit the mere cessation of his miseries; and that benefit he requites with unbounded gratitude."

A prolonged and violent discussion followed, in which General Jourdan insisted that it was necessary to exact a guarantee of submission to the laws from those who "spoke in the name of the Divinity," since otherwise there would be nothing to prevent the partisans of the old régime from exhorting and even commanding their submissive flocks to conspire against the existing Government. He adjured the Assembly not to compromise public tranquillity and the safety of the State by showing *an*

excess of humanity. When the vote was at length taken on the 18th of July, there appeared an immense majority in favour of the first proposition of Camille Jordan and Dubruel; and the iniquitous legislation of the Revolution against ecclesiastics was in consequence annulled. The second question, as to imposing upon the clergy a declaration of conformity to the law, was closely contested. After a decision in the negative, the minority demanded the 'appel nominal.' This produced a change of sides on the part of a few weak-minded members, and the principle of a declaration was at last carried by a majority of six; the voices being 210 against 204.* This was claimed as a triumph by the Government, and was received in the Assembly with loud applause.

The success of the reactionists, however, though to all appearance decisive, was premature and ephemeral. Their majority was composed of various fractions, who were not sufficiently united in views and policy to take advantage of their victory. The Royalists, overjoyed at a result which they had scarcely ventured to expect, exhibited an amount of rashness which seriously damaged their cause. Their organs in the press adopted an absurdly confident and boastful tone; their agents stirred up excitement and alarm by announcing in the provinces the immediate restoration of the Bourbons. The proscribed emigrants, lay and clerical, flocked to Paris by thousands, bringing with them abundance of zeal, but little discretion; even the Liberal-Conservatives, headed by Portalis and Siméon, seem scarcely to have appreciated the real difficulties and dangers of the situation. The Directory, meanwhile, was not blind to the coalition formed against it; but its members were at variance among themselves. Barthélemy and Carnot counselled moderation; Barras, La Reveillère, and Rewbell, forming the majority, were for severity and repression, even to the extent, if necessary, of employing military force. An attempt was made by Portalis and his

* See *Annales de la Religion*, tom. v. p. 280.

friends to effect a compromise and avoid open rupture. On the occasion of a change of ministry, they negotiated with the Directors to secure certain nominations favourable to their interests: they succeeded in carrying that of Talleyrand as Minister of Foreign Affairs; but the rest of the new cabinet were pronounced Revolutionists. The majority of the Directors now felt strong enough to act decisively, and resolved on hazarding a *coup d'état*. It was executed with complete success on the 18th Fructidor, September 4, 1797.

A.D. 1797. Sept. 4.

The halls occupied by the two Legislative Councils were surrounded by a powerful body of troops commanded by General Augereau; the Revolutionist deputies were summoned by proclamation to meet elsewhere,—the Five Hundred at the Odéon, the Ancients at the École de Médecine,—and passed a series of flagrantly illegal measures, by which the elections in forty-nine departments were cancelled, and all the principal members of the opposition, to the number of fifty-two, were condemned without trial to be transported to Cayenne. Most of those who had voted in favour of the clergy and of religious liberty, such as Camille Jordan, Boissy d'Anglas, Portalis, Pastoret, Siméon, and Barbé-Marbois, figured in the lists of the proscribed; as did also the Directors Carnot and Barthélemy. The law of the 7th Fructidor, which recalled the exiled priests, was summarily revoked; and the Directors were invested with the power of banishing, at their own arbitrary discretion, any priests whose conduct they might consider dangerous to the public peace. The decrees of the 7th Vendémiaire, 1795, on the "police des cultes," were maintained in force; but instead of the declaration of "submission to the laws of the Republic," the clergy were henceforth to take an oath of "hatred to royalty and anarchy, of attachment and fidelity to the Republic, and to the Constitution of the year III." *

* Buchez and Roux, *Hist. Parlement.* tom. xxxvii. p. 357.

It is easier to conceive than to describe the intense disappointment of all friends of the Church and of legitimate government at this sudden relapse into a Terrorist *régime*.* "Our misfortunes," writes the Abbé Dumesnil, "had seemed at an end. Piety was beginning to reappear; the Sacraments were much frequented; the faithful were assiduous in their attendance on the offices of divine worship; we were comparatively in the enjoyment of peace, when the famous 18th Fructidor arrived. Up to that day, ever since the fall of the Jacobins, we had entertained confident hopes of seeing an early termination of the terrible Revolution. The exiled priests were returning in great numbers, and we were offering a joyful welcome to these victims of the Revolution, when that day supervened to overthrow all our hopes and plunge France into renewed misery. Dreadful confusion recommenced on all sides. The Jacobin agitators, who had only been repulsed for a time, came forth with more audacity than ever; disorder became general, and penetrated even to the smallest and most obscure parishes. The rural municipalities were dissolved, all new elections cancelled, the magistrates driven with ignominy from the posts which they held by the free suffrage of their fellow-citizens. In order to render illusory the prerogative granted to citizens by the Constitution of the year III, of choosing their own local officers and representatives, the Legislature, and afterwards the Directory itself, authorised divisions in the primary

* "L'évènement du 18 Fructidor a été le moyen et non le but final de la faction. Voyant que les élections ne portaient aux places que des anti-révolutionnaires, et que toute constitution en France tua la Révolution, ils ont voulu s'en débarrasser. La culbute des Conseils était chose facile; sans moyens, sans ensemble, sans but fixe, ne se connaissant que par l'exercice de la parole, ils prêtaient le flanc de toutes parts, et on était peu embarrassé de s'en défaire quand on le voudrait. . . C'est le *Ventre*, c'est Thibaudeau aux Cinq Cents, c'est Tronçon du Coudray aux Anciens, qui les ont perdus. . . . Nous voilà rejetés dans une mer sans fond. L'avenir n'est plus soumis à aucune conjecture. Que ne feront pas des usurpateurs parvenus impunément, sans choc, sans secousse, à exécuter un pareil attentat? Il retombera un jour sur leurs têtes, mais quand?"—Mallet du Pan au Comte de Sainte Aldegonde, 17 Septembre 1797.—*Mémoires et Correspondance de Mallet du Pan*, tom. ii. pp. 320-22.

assemblies, and thus conferred on three or four Jacobins the sole right of nominating public agents and administrators in the parishes and departments. By this means the well-disposed inhabitants found themselves without voice in these assemblies; the Jacobins seized every place, no one durst utter a word against them; and these miscreants continued, with an appearance of justice, once more to imprison, and even to banish, every one who displeased them. . . . The use of the church bells was again prohibited; a vast number of priests were thrown into prison or compelled to conceal themselves. The monster of impiety returned under a form certainly less hideous, but perhaps in reality more formidable, than under the tyranny of Robespierre. During the first Terror the victims were guillotined or drowned; they had not long to suffer. After the 18th Fructidor the pretended criminals were transported to the Isles of Oléron, Rhé, or St. Michael; and when these prisons were filled, the unhappy captives were crowded into vessels which conveyed them to the deserts of Sinnamari, where they perished lingeringly, but surely, through the insalubrity of the climate. Out of four or five hundred prisoners who disembarked there at one time, less than twenty remained alive at the end of six months."

"At this fatal moment," continues the good Abbé, "religion was proscribed afresh, less openly than during the Terror, but in a more hypocritical and more dangerous manner. Under the 'Committee of Public Safety' it was declared in plain terms that 'religious worship was no longer necessary, and that therefore there was no further need of priests.' But the implacable enemies of Christianity, having discovered by experience that it was useless, and even injurious to themselves, to preach downright Atheism, employed another stratagem in order to attain their ends. They invented a kind of religion of their own, which they endeavoured to erect upon the ruins of Christianity. La

Reveillère Lepaux, a member of the Directory, was its most zealous promoter; he came forward like a second Mahomet, and gave the new religion the name of Théophilanthropie. Having organised a sect, he and his followers soon took possession of the principal churches of Paris, and extended themselves into the provinces. Their worship consisted (very much like that instituted by Robespierre) in the reading of civil laws and the deeds of heroes; to this they added a sort of prayer addressed to Nature, or to the Supreme Being, whom they identified with Nature. With a view to the establishment of this new gospel, the Décadi was ordered to be strictly observed as the day of rest, under pain of three days' labour, with fine and imprisonment for repetition of the offence. Permission was given to work on these days in agricultural districts, provided work was done on Sundays likewise; for the object of these innovators was to make the people forget the days consecrated to God, and gradually to accustom them to consign the religion of their fathers to contempt and oblivion." *

The new oath of "hatred to royalty" became, naturally enough, a subject of no small perplexity to the orthodox clergy. It was difficult to see by what process of ingenious construction that engagement could be made palatable to a body which from age to age had manifested such devoted attachment to the throne of France. The "Constitutionals," indeed, accepted it with ease; for it corresponded closely with the well-known sentiment of their oracle, Bishop

* *Souvenirs de la Terreur, Mémoires inédits d'un curé de campagne*, pp. 100–105. The writer of this interesting narrative was the Abbé Dumesnil, curé of Guerbaville, in the department of the Seine Inférieure. Having declined to take the Constitutional oath except with the restrictions proposed by the Bishop of Clermont, he was cruelly persecuted both during the Terreur of 1793 and after the coup d'état of the 18th Fructidor. The good curé is occasionally at fault as to the details of public events in which he had no share, and of which it is perhaps too much to expect that he should judge impartially; but his account of all that passed within his personal experience is eminently graphic and trustworthy. He survived the Revolution many years, and died in peace at Guerbaville in 1837.

Grégoire, that "kings are, in the moral order of things, what monsters are in the physical," and that "their history is the martyrology of nations." But on the opposite side it was almost unanimously condemned.

An attempt was made, in a report presented to the Council of Five Hundred in December 1797, to conciliate them by plausible explanations of the sense in which the oath was demanded. The deputy Chollet announced that it was not meant as a declaration of hatred against the *person* of kings, inasmuch as the Republic was constantly signing treaties of friendship and good understanding with the monarchs of neighbouring States. It was not the hatred vowed of old by Brutus and Cato against everybody and everything that bore the name of king and royalty; nor, again, was it intended to prohibit any speculative belief as to the kind of government best fitted for the happiness of nations; they were not called upon to profess detestation of the principle of royalty taken in the abstract. But they were bound to regard with abhorrence any attempt which might be made to re-establish royalty *in France*, because it was utterly at variance with the existing social compact; and no man could belong to a Republican society without rejecting all ideas and movements which would tend to overthrow it.* It appears that the representations thus made on behalf of the Government had considerable effect upon the minds and conduct of the clergy. The authorities of the Church felt that they could not express approval of the oath, but they abstained from denouncing it; and in consequence it was submitted to by a large number of the priests who had recently returned from exile, with the tacit permission of the Conseil Archiépiscopal, and of Archbishop de Juigné, who was still absent from his diocese. On the other hand, to many ecclesiastics of sensitive conscience the reasons

* *Annales de la Religion*, tom. vi. p. 15.

alleged for compliance seemed to savour of special pleading and chicanery. They refused accordingly, and resigned themselves in patience to the cross of inevitable persecution.

The Abbé Emery, who was repeatedly applied to for advice upon this subject, conducted himself with cautious reserve. He did not himself take the oath, nor did he recommend any one to take it, but he was far from condemning those who felt able to accept it in the sense of the report just cited. He was always ready to point out to his brethren, clearly and impartially, the arguments which might be adduced both on the affirmative and the negative side; but having done this, he left the decision to the individual conscience. Occasionally he would allow it to be seen how much pleasure it afforded him to hear that the clergy in any locality were disposed to satisfy the government, on the ground that by this means their services would continue to be available at a time so fraught with anxiety and danger to the Church. His biographer mentions an interview which the Abbé Bernet (afterwards Archbishop of Aix and Cardinal) had with Emery on the subject. "I was at that time curé of Antony," said Bernet, "and, not being willing to take the oath in question, I gave up my appointment. Before leaving the neighbourhood of Paris, I went to pay a visit to the Abbé Emery. To my great astonishment, he asked me why I was abandoning my cure. 'Because,' I replied, 'I have been obliged to refuse the oath now exacted. Would you have complied with it, monsieur, if you had been in my place?' 'No,' said the Abbé, 'but I am not surprised that a certain number of priests in the capital have done so. Providence has permitted them to regard the question from a point of view which made it possible for them to comply, in order that we might retain possession of our churches, which otherwise the different sects would not have failed to appropriate. I cannot reconcile myself,' he added with remarkable emphasis, taking hold of his wig

with both hands—'I cannot reconcile myself to the idea of a people destitute of a religious worship.'" *

The tyranny of the Directory was intensified by the result of the elections of the year VI (1798), which gave them a commanding majority in both Chambers. The oath of "hatred to royalty" was exacted with extreme severity from every elector as a preliminary test, and the consequence was that conservatives and reactionists for the most part abstained from voting, and the ultra-democrats triumphed almost without a contest. The fruits of their victory appeared forthwith in edicts of aggravated cruelty against the recusant clergy, the tone of which was worthy of the worst days of the Terror. "Once more," cried the deputy Briot in the sitting of the 21st Brumaire (November 11) —"once more the crimes of rebellious priests provoke the attention of the Legislature. It is necessary to inform you that, in spite of the law of the 19th Fructidor, the state of legislation and jurisprudence as respects the banished priests is scarcely better than a total chaos, perfectly useless except to conspirators and lawyers. Conformably with that law, the military commissions pass judgment upon emigrant priests, but on all sides it is denied that they have the right to pronounce upon banished priests who have returned to France. They content themselves with banishing them afresh. These eternal foes must be made to understand that *death awaits them*, if they dare to remain upon our territory, or ever to set foot within it." Measures were adopted accordingly by which all priests subject to banishment by the Revolutionary laws of 1792 and 1793, if they had re-entered France, were ordered to present themselves to the authorities within one month to receive a fresh sentence of transportation; and the same decree applied to those who had not hitherto submitted to the law of proscription passed

* *Vie de M. Emery*, tom. i. p. 416.

after the 18th Fructidor. All these classes of ecclesiastics were expressly "assimilated to the emigrants;" in other words, they incurred the penalty of death if they were found upon French territory. A further clause enacted that any one concealing a rebellious priest should be punished with imprisonment, and, moreover, that the house which had served to shelter any such rebel *should be confiscated.*

Opportunity was taken at the same time to enforce the observance of the Décadi as a public holiday, in order to obliterate, if possible, all reverence for the Divinely appointed rest of the seventh day. Three laws for this purpose were passed in August and September 1798; enacting that on Décadi no business should be transacted in the courts of law or public offices; and that all shops and manufactories should be closed, under pain of fine and imprisonment. The local magistrates were to repair in official costume to the public hall, and there announce to the assembled citizens the acts of government, the births, deaths, and marriages, together with the acts of adoption and of divorce, which had taken place in the ten days preceding. Marriages were to be celebrated on that day exclusively, in the same place of public meeting. Masters and mistresses of schools, public and private, were ordered to conduct their pupils to these assemblies, and the authorities were to institute games and athletic exercises for their amusement. Any periodical or almanac which might recognise the epochs of the Gregorian Calendar or the festivals of the Christian year was to be forthwith seized and suppressed. At Paris it was ordained that the "fêtes Décadaires" should be held in the parish churches. Religious worship was to cease at half-past eight in the morning, and could not be resumed till after the conclusion of the official proceedings of the day.*

Bishop Grégoire, in his "Histoire des Sectes Religi-

* *Moniteur*, Séances du 19 et 29 Messidor, du 6 et 12 Thermidor, an vi.

euses," * gives a long list of the tyrannical proceedings of the authorities in almost every department of France, in order to compel the clergy to transfer the observance of Sunday to the Décadi. The names of those who refused to obey were to be reported twice every month to the Government, "accompanied by notes and information necessary to expose their disaffection and immorality;" and "ulterior measures" were threatened, in accordance with the denunciations thus obtained. To prefer the rites of Catholicism to those of the Revolutionary Calendar was declared to be a violation of the oath of fidelity to the Republic; it was a disturbance of public tranquillity, a want of patriotism, a proof of still more dangerous designs cherished in secret. "It was time that it should be known how far the ministers of religion might be counted upon for attachment to Republican government; it was time to expose those who dared to put in practice their favourite dogmas in opposition to the will of the people signified by the Legislature and the Executive Directory. The Décadis must prevail over the Gregorian Calendar; reason must triumph over ignorance and errors which were fostered by priests of every sect for the sake of their own interests. Let those ministers who were well disposed give proof of their entire devotedness to the public welfare by declaring before the authorities that they transfer to the Décadi and the Quintidi all solemnities recognised by their respective creeds, and that they would no longer observe the 'ci-devant Dimanches' with more ceremony than other days, unless they happened to coincide with a Décadi or a Quintidi. In that case the Government, far from permitting them to be molested, would encourage in their behalf those sentiments of general respect and consideration to which all ministers of religion are entitled when their conduct is honourable and loyal. Let them not

* Tom. i. chap. x. pp. 240–316.

give heed to any perfidious insinuations of a man who pretended to be their superior in the ecclesiastical order. Let such a man be left to ruin himself, if he thought proper; but let them have the good sense to deserve the confidence of Government, by promptly carrying out its present instructions." *

We are assured that, as regards the orthodox clergy, these pressing solicitations were altogether unsuccessful. On the part of the Constitutionalists some few acts of weak compliance are recorded; but on the whole this new attempt to discredit and supersede the ordinances of Christianity seems to have proved a signal failure. Bishop Grégoire withstood it with his usual intrepidity both of word and deed. In a remarkable speech in the Council of Five Hundred on the 15th of December, 1798, he reminded his colleagues that the law of the 4th Frimaire, an II, which established the Republican Calendar, declared the Vulgar era to be abolished with respect to *civil* concerns; but that the legislator never intended to invade the domain of conscience, nor to attack the ceremonies of any religious society; otherwise freedom of religious worship would be a mere illusion. He inveighed bitterly against the vexatious proceedings of the magistrates in the department of the Allier, who had summoned all ministers of religion, "in the name of peace and of the tranquillity of their country," to abandon public offices "on the days called Sundays," and to observe the Décadis exclusively. "Would you not suppose," he exclaimed, "that the maintenance of public peace depended on the cessation of all religious ordinances on Sundays? By what fatality do we find in this mandate such expressions as religious *prejudice* and *fanaticism*, which they take care never to define, in order to make them signify just whatever they please? In this age of '*toleration*' and '*philosophy*,'

* Extracted from a letter from one of the commissioners of the Directory to the municipality of Douai, 9 Fructidor, an vi.

one finds men continually repeating those words in their speeches and writings who will not object to your professing Atheism, and publishing works to defend that dreary doctrine, but will howl at you if you declare your adherence to a certain religious society. I say a *certain* society, for they are willing to excuse your believing in the Zendavesta, the Koran, or the Talmud. Will they succeed in wresting from the people the religious worship which they love? No; the only result will be that, after having spent a quantity of money at a total loss, after having embittered many hearts, and driven peaceable citizens to desperation, they will be consigned to universal execration as persecutors and Christians will cling all the more resolutely to their principles because they have cost them painful sacrifices." *

The bishop was doubtless prepared for the malicious criticisms to which such sentiments naturally exposed him from the agents of an infidel Government. "It gives me the greatest pain," wrote one of them, "to see a man who has rendered such important services to the cause of liberty employing the double influence which he enjoys in his quality of a priest and a representative of the people, in order to oppose the establishment of the new institutions, and thwart the declared intentions of the Government. Continue to take all the measures which you may deem desirable with a view to counteract this dangerous influence. We are determined to surmount the obstacles which have been raised against the celebration of the Décadis. Employ conciliatory means as far as you can, until laws shall have been passed which will give you far greater facilities for putting down the struggles of fanaticism against Republican institutions." †

The sect of the "Theophilanthropists" arranged that the celebration of their worship should take place on Décadi. The churches of the metropolis witnessed at this period a

* *Annales de la Religion*, tom. vi. pp. 197–206.

† Grégoire, *Hist. des Sectes Religieuses*, tom. i. pp. 287–92

heterogeneous succession of public ordinances whenever the Sunday happened to coincide with Décadi. The early hours of the day were appropriated to the Catholics; next came the "Assemblée Décadaire," under the presidency of the Republican authorities; and the afternoon was devoted to the exercises of the Theophilanthropists. The latter persuasion had but comparatively few disciples, even when it was most prevalent; its chief professors seem to have been apostate priests and ci-devant Protestant pastors. It was declared by its votaries to be "the religion of Nature;" anterior to every other, coeval with the foundation of the world, no less ancient than the primeval obligation to cultivate love to God and man. From this fundamental principle they deduced that of including within the bounds of their communion the adherents of every existing sect, not rejecting even Atheists. On their festival of "Tolérance" they carried in procession banners inscribed with the names of all religious denominations. That of "Religion" bore the following legend: "In the name of all mankind, whether professing outwardly a religious worship based on various dogmas and distinguished by different ceremonies, or whether, without displaying to the public eye any visible signs of their belief, they content themselves with giving a pledge to society by the simple practice of moral virtue." Theophilanthropy was short-lived. In a career of six years it lost credit so rapidly that it was restricted to the four churches of St. Germain l'Auxerrois, St. Nicolas des Champs, St. Sulpice, and St. Gervais, which were styled in the nomenclature of the day the "Temples of Gratitude, of Hymen, of Victory, and of Youth." It was finally excluded from the "National edifices" by a decree of the Consuls dated 29 Vendémiaire, an X (October 21, 1801).

It now becomes necessary to glance retrospectively at proceedings of a different character and of somewhat prior date.

During the whole of this transitional period the Constitutional clergy had been labouring zealously, and not unfruitfully, in the vast work of repairing the shattered fabric of French Christianity. The first to engage in it were four of their bishops,—Saurine of Dax, Grégoire of Blois, Royer of Belley, and Desbois of Amiens,*—who formed themselves into a Committee at Paris under the title of "Evêques réunis," and issued, in March 1795, an "Encyclical Letter" addressed to "their brethren the other bishops, and to the vacant churches." The tone of this document is modest, dignified, and eminently suitable to the circumstances under which it was written. The prelates begin by humbly acknowledging the scandals given by so many of their brethren who had denied the faith in time of persecution. "May such cowardly traitors, who betrayed the cause of religion, pass the rest of their days in tears of penitence, and give the same publicity to their penitence as they did to their faithlessness."

They next advert to the degenerate state of the Gallican Church before the Revolution. Although so celebrated for its respect for sacred antiquity, it was disgraced by abuses of every description, which were to all appearance beyond remedy. The great majority of those who might have corrected them were blind to their existence, while those whose eyes were open had no power to act on their convictions. An opportunity now seemed to be providentially opened which was specially favourable to the re-establishment of ecclesiastical discipline. Religion had no longer any political status in France; and this was a fact which removed many difficulties. Justice, security, protection, on the part of the Government; submission, fidelity, and attachment to the Republic, on the part of the Church and its ministers—such

* The Constitutionals thought proper on this occasion to abandon their territorial designations, and adopted the ancient episcopal titles derived from the cathedral cities.

were to be henceforth the mutual relations of the two powers. Certain usages of discipline still bore the impress of the ignorance characteristic of mediæval barbarism, and of the unconstitutional changes introduced by the Forged Decretals. They trusted that, while preserving strictly all the traditional doctrines of the Church, they might succeed in restoring its discipline to that uniformity of administration, of ritual, and of teaching, which harmonised with the unity of the Church,—that most significant spectacle of the primitive ages.

Then follows their profession of faith, and afterwards a code of provisional regulations for the reorganisation of dioceses and the practical guidance of the clergy under existing circumstances. As to doctrine, they declare that they cordially accept the entire creed of the Catholic, Apostolic, and Roman Church, as defined by the Œcumenical Councils. They adopt the well-known "Exposition de la Doctrine de l'Eglise Catholique" by Bossuet, and quote that prelate's famous statement in his "Sermon on Unity," that "the Son of God, having determined that His Church should be one, and firmly founded upon unity, established the primacy of St. Peter in order to preserve and cement it." "That primacy," continued the associated bishops, "we acknowledge in the successors of the chief of the Apostles, to whom we therefore profess the same submission and obedience which the Fathers and the Councils have always enjoined upon the faithful. The authority of the Chair of St. Peter has a most certain warrant in the Gospel, and a manifest attestation in tradition."

The episcopal form of government they pronounce to be ordained by Christ Himself. The authority of the episcopate preserves unity in particular churches, as the primacy of the Holy See is the common centre of Catholic unity as a whole. Bishops, as successors of the Apostles, hold their power and authority from Jesus Christ, through the act of consecration. They are to be appointed by all the bishops of the province;

but may be consecrated by three of them with the consent of the rest. Confirmation is to be given by the Metropolitan.

"Pastors of the second order are associated with the bishops by direction of the Holy Ghost, to feed, teach, and govern the Church together with them and under their authority."

They repudiate any and every innovation in the general discipline of the Church. They express their profound sorrow at the divisions which rend the Church of France, and their ardent desire for a prompt and solid reunion. To attain that end they declare themselves ready to adopt all methods of conciliation conformable with charity, truth, and the liberties of the Gallican Church. Finally, they congratulate themselves on being ministers of the religion best adapted to the nature of man; specifying, as its "distinctive characteristics," brotherly equality, charity without bounds, forgiveness of injuries, love to enemies, and anxiety to do good to all.

Rules are subjoined respecting the treatment of those ecclesiastics who had renounced their Orders and apostatised from Christianity under the pressure of the late persecution. Such offenders are declared unworthy of their profession and of the confidence of the faithful. They seem to have been implicated in some of the most revolting of the atheistic excesses, among which are specified "profanation of the body of Jesus Christ, of the Holy Scriptures, of images and other objects of veneration;" "applauding the sacrilegious, impious, and blasphemous acts of the enemies of religion;" "co-operating actively in the persecution;" "taking part in the ceremonies of a hypocritical and derisive worship." Those who had married, "either under the pretext of escaping persecution, or from any motive whatever," are in like manner excluded from the ministry. Upon this subject the bishops refer to St. Cyprian's treatise "De Lapsis," of which they published at the same time a French translation: they quote, also, the Canons of Nicea and other ancient Councils. In a further

paragraph they reflect upon the conduct of the orthodox clergy, though without directly naming them, and retort upon them the charge of schism, on the strength of the principles laid down by Gerson in his tract "De modo habendi se in tempore schismatis." Schism, that great doctor teaches, consists not only in the separation of the members of the Church from their head, but also in obstinate separation from each other. It is presumptuous and scandalous to regard our brethren belonging to an opposite party, or those who desire to remain neutral, as altogether wanderers from the way of salvation, excommunicate, or of necessity schismatics. It is rash to assert that the Sacraments of the Church, administered either by one party or the other, are invalid; that priests are not really priests, and cannot consecrate rightly; that it is not allowable to attend their masses, or to communicate with them in the Sacraments.

The document concludes with practical instructions on the conduct of the priesthood, the organisation of public services, the observance of Sunday, and the revival of moral discipline. It is signed by the five prelates who concurred in drawing it up, namely Gratien (Métropolitan of Rouen), Desbois, Grégoire, Saurine, and Royer; and upwards of thirty other bishops subsequently signified their adhesion to it.

Emboldened by this success, Grégoire and his colleagues issued, on the 15th of December, 1795, a second Encyclical Letter, containing a still more elaborate series of directions for the administration of the Church, to be provisionally in force until the meeting of a National Council, which they proposed to hold at Paris in May the year following. One of their chief objects was to provide pastors for the "widowed Churches;" no less than forty episcopal sees being vacant at that moment by reason of the death, the marriage, the resignation, or the apostasy, of former occupants. The second Encyclical therefore regulates with great minute-

ness the election of diocesan bishops; and it must be acknowledged that the plan recommended was a considerable improvement upon that of the "Constitution Civile du Clergé." Upon the day appointed the mass "pro electione episcopi" was to be celebrated in every parish of the diocese, preceded by the Veni Creator. Each parish was afterwards to proceed to the election, under the presidency of the curé. In the assembly, composed of clergy and faithful laity, every citizen twenty-one years of age and known to be a member of the Catholic Church was to possess a vote. The voting was to be by secret ballot, the number of suffrages being afterwards reported to the Presbytery, and examined the Sunday following in the cathedral church, in the presence of the Metropolitan or a suffragan bishop. If any candidate was found to be named unanimously, or to possess two thirds of the suffrages at least, the president was to declare him elected; if not, he was to order a second ballot. Within one month the bishop elect was to be presented to the Metropolitan, who was to satisfy himself as to his soundness of faith, morals, and learning. If he approved him, he was to grant canonical institution; in case of his refusal, the diocese had the right of appealing to the council of Metropolitans.

Few, probably, will be disposed to deny that, under the existing circumstances both of Church and State in France, the mode of proceeding thus prescribed was reasonable and well-advised. Under a Government which, at the best, ignored the Christian religion and its ministers, and which was prepared, on the slightest pretext, to recur with more or less rigour to a policy of persecution, the society for which Grégoire and his brethren legislated bore some resemblance to the Church in heathen times. Its members were comparatively few and poor; they had no endowments to offer to their pastors, and the acceptance of that office was rather dangerous than advantageous in a temporal point of view; there was therefore nothing unnatural or extravagant in the

attempt to reproduce some of the disciplinary usages of primitive antiquity. Moreover, these arrangements were made, not absolutely, but provisionally. They were submitted to the judgment of a forthcoming National Council, —the very same authority which had been so constantly invoked by the heads of the Church since the commencement of the Revolutionary struggle.

But although the measures propounded by the Constitutionals were in themselves highly commendable, it was obvious that strong objections might and would be raised with respect to the ecclesiastical position of their authors. Who were these "évêques réunis"? Their episcopate was a direct product of the Revolution; they were bishops by the legislation of the National Assembly;—by virtue of the "Constitution Civile du Clergé." But that Constitution was no longer in existence; it had ceased to be the law of the land; it was abrogated and defunct. Even admitting, then (what the orthodox clergy were very far from admitting), that they had received a valid consecration, its adherents had no right to assume the character and prestige of a Church established by law, to speak in the name of "the Gallican Church," to stigmatize the nonjurors as "dissidens" (dissenters), and to summon them to join their ranks, as if by that step Catholic unity would be at once restored. In their circular letter to the metropolitans on the convocation of the Council, they earnestly and pathetically implore their separated brethren to attend that assembly.

"Invested as they are with the same priesthood, partakers * with us of the same episcopate, may they share the ardent desire which we experience to draw together all minds and hearts, to extinguish for ever the divisions under which the Church is groaning, and unite with us in directing all our efforts against that impiety which, dreading our junction, is

* "Solidaires."

constantly heaping fuel on the flames of discord! May they no longer withdraw themselves from the tenderness of our fraternal embraces!" *

The preparations for holding the Council occupied several months, all the necessary formalities being carefully observed. Circumstances delayed its actual meeting for a year beyond the date first contemplated; but on the feast of the Assumption, August 15, 1797, it was opened in the cathedral of Notre Dame at Paris, under the presidency of Claude Lecoz, Metropolitan Bishop of Rennes, one of the most highly respected, as well as one of the most learned, prelates of the time. The Council consisted of eighty-three members, of whom thirty were bishops, and the rest clergy of the second order, representing the "presbytères," or diocesan chapters recently organised in various parts of the country where the sees were still vacant.

The inaugural ceremony was conducted with no small degree of pomp, and seems to have been strikingly impressive. A prodigious crowd of spectators of all classes and persuasions filled the nave and galleries of Notre Dame; and as the two long lines of ecclesiastics advanced slowly from the west door towards the choir, preceded by the cross, the walls resounded with an involuntary outburst of applause. The opening address of the President was full of eloquence and pathos. He enlarged on the extraordinary spectacle offered by the solemnity of the day. "Who could have imagined that that august temple, which had so recently witnessed the frantic excesses of a blasphemous philosophism, which impious hands had so shamefully profaned and pillaged, should after so brief an interval be restored to its original and sublime destination? Who could have expected to see crowds of venerable pontiffs and virtuous pastors reassembled round its altars for the celebration of

* *Annales de la Religion*, tom. v. p. 202.

Divine Mysteries, who but lately were the victims of a savage persecution, fugitives wandering from cavern to cavern, or groaning in the darkness of pestilential dungeons? Or who, again, could have anticipated, from any consideration of merely natural causes and events, that that holy religion against which all the blasts of every passion have been unchained, which had been assailed by a general conspiracy of the learned and the ignorant, the rich and the poor, the profligate and the pharisaical, and even by apostate ministers of the sanctuary, who could conceive that this religion, without other arms than those of its own majestic doctrines and saintly morality, should triumphantly resist these combined attacks, should exhibit itself to the world as pure, as lovely, as powerful as ever, and attract to itself, though arrayed in a simple and modest garb, more than twenty millions of Frenchmen?"

With great emotional earnestness, if not with much argumentative cogency, the prelate strove to vindicate himself and his colleagues from the charge of theological unsoundness. "O ye who accuse these men of schism, of error, of impiety, of profanation, come at last to meet them and examine them closely before you pass judgment upon them. Is it possible that they can be schismatics,—these men of peace who sincerely love their brethren, and desire to be as sincerely loved by them in return? Can they be in separation from the Head of the Church, they who pray so fervently every day of their lives for the preservation and the happiness of our holy father the Pope? Can they be guilty of impiety,—these men who have shed tears of bitter grief over the closing of our temples and the cessation of our worship,—these men who bow in profound adoration before our Saviour Jesus Christ, who believe with all their hearts His holy Gospel, who conscientiously maintain all the truths which His Church teaches us, and reject without restriction all the errors which it condemns? Can they be guilty of profane-

ness, who never approach the Altar without feelings of devout trepidation, who never receive the Sacraments but with the same reverential awe with which the holy women of old treasured up the blood of the Redeemer as it poured from the cross?"

Bishop Lecoz proceeded to apostrophize the clergy of the rival denomination. He protested that the grand object of the present Council was to promote a brotherly understanding among opposite parties, to remove prejudices and heart-burnings, to restore the broken unity of the Church, and to exemplify that charity which is the perfection of Christianity, the only fulfilling of the law. "This, O my brethren," he exclaimed, "is the favourable moment for combining our efforts to repair the outrages offered to our august religion, to repel the attacks which this disordered and vicious age has devised against its doctrines and its morals. Heaven itself seems to have brought about this important conjunction. Heaven has put into the hearts of our legislators and of the magistrates of this great city sentiments of wise moderation, which, instead of opposing our views, encourage and protect them; since our proceedings are looked upon as powerful means of drawing men's minds together, of recalling the love of integrity and virtue, of hastening that pacification which is so anxiously desired without as well as within the empire; of strengthening the Republic, and diffusing general happiness. . . . Let us then beware of letting slip such a fair opportunity of meriting the glorious titles of defenders of our faith and benefactors of our country; and if we cannot succeed at once in dispersing the formidable mass of errors and abuses which have accumulated around us, let us at least endeavour to draw up an exact chart of them, by means of which both we ourselves and the faithful to whom we minister may escape the perilous snare to which we are exposed. Come then, dear brethren, and let no frivolous objections, no miserable sophistries, restrain you from uniting with us in

your prayers, your desires, your wisdom, your talents, your zeal, and your labours!"

Very shortly after the assembling of the Council occurred the famous Coup d'état of the 18th Fructidor, which resulted, as the reader knows, in a renewal of tyrannical severity against the orthodox clergy, and threatened a return to the worst crimes of the Revolution. This event, however, caused no inconvenience to the Constitutionals, who had already given abundant proof of their allegiance to the Republic and the Directory. The Council continued its deliberations without opposition from the Government; and one of its first acts was to accept the newly prescribed oath of "hatred to royalty and anarchy." The decree to that effect was passed in the second session, held on the 8th of September, only four days after the Coup d'état. And in the "decree of pacification," adopted in the third session, September 24, a further step was taken which made a like compliance obligatory upon all ecclesiastics desiring to exercise their ministry. That document, after protesting that "The Gallican Church remains inviolably attached to the Catholic, Apostolic, Roman Church, of which the Pope is by Divine right the visible head, possessing in that character the primacy of honour and of jurisdiction;" that "the Church has authority from Jesus Christ to govern herself, but that her authority is purely spiritual;" and that "the episcopate is essential to the government of the Church, bishops being by Divine right superior in jurisdiction to the priesthood;"—proceeds to lay down the following principles of reunion.

Canonical mission is necessary to the legitimate exercise of the pastoral office. The Church exacts of her pastors the maintenance of her maxims and her liberties. She recognises, as fundamental laws of discipline, the election of bishops by the clergy and people, and their confirmation and institution by the Metropolitan. The Church admits into the number of her pastors those only who have manifested

their fidelity to the Republic, and guaranteed it in the manner prescribed by law. All priests and pastors who have remained faithful to their vocation are invited without exception to resume their sacred functions, whatever opinions they may have held as to the questions which have divided the Church of France. In all cases where there is only one bishop for one and the same diocese, or one parish priest for one and the same parish, he shall be recognised by all. In churches where there are two bishops, one appointed and consecrated before 1791, the other elected and consecrated since that date, the former shall be recognised, the latter shall succeed him in full right; and this agreement shall apply likewise to parish priests. Bishops whose sees have been preserved, and who desire to resume them in virtue of the present decree, shall be bound to declare their adhesion to the decree of pacification in the presence of the metropolitan or the senior bishop, who shall give a certificate of that act, to be read at the time of mass in the Cathedral church. The same declaration shall be required of parish priests.*

These latter provisions have at first sight an air of remarkable forbearance and self-sacrificing charity. But it will be found, on looking beneath the surface, that they were little better than illusory as regards the great cause of ecclesiastical reunion which was their professed object. It was notorious that the whole of the orthodox episcopate was opposed to the Republican Government; that their disaffection had driven them into exile from France; and that recent measures had once more subjected them to all the barbarous penalties denounced against the *émigrés* by the legislation of the Terror. It was of little use, then, to summon these prelates to embrace a plan of "pacification," the first condition of which involved the abandonment of their most cherished convictions. It was simply to say to

* *Annales de la Religion*, tom. v. p. 524 *et seq.*

the nonjurors, If you will surrender your own ground, and come over to our lines, we are willing to grant you a fair share in the advantages of our position. Considering all the circumstances of the last few years, such a proposal was practically vain and nugatory.

The Council pursued its labours with unflagging activity; and many of its public acts, canons, and reports are of deep interest and value. The guiding spirit of the assembly, it is scarcely necessary to say, was the indefatigable Grégoire. Three of its most important publications were furnished by his pen, namely—1, the "compte rendu" of the labours of the bishops assembled at Paris; 2, a treatise upon the use of the Liturgy in the vulgar tongue; and 3, a series of reports upon the erection of new episcopal sees in the colonies. In the first-named of these papers he gave an account of the formation of "presbyteries" in fifteen vacant dioceses, and of the election and consecration of three bishops, those of St. Diez, Colmar, and St. Omer. He explained the motives which led to the establishment of the journal entitled "Annales de la Religion," which became for several years the accredited organ of the Constitutional Church.* And, lastly, he enlarges on the efforts made to arrive at an understanding with the "dissidens," and on the causes of their general ill-success. He states that, having perused the enormous mass of State papers on the subject sent by

* The *Annales de la Religion, ou Mémoires pour servir à l'histoire du dix-huitième siècle, par une Société d'amis de la Religion et de la Patrie*, form a series of eighteen vols. 8vo. They abound with important historical information, biographical notices, controversial arguments, and theological dissertations. The publication was suppressed by a decree of the Directory on the 5th of July, 1798, which stated that "being chiefly designed to publish the acts and propagate the principles of the pretended National Council of France, it opposed the laws of the Church to those of the State, and the ceremonies of religion to the institutions of the Republic;" that it "sought to increase the power of fanaticism and superstition, to pervert the public mind, and to extinguish patriotism;" that it "abused the freedom of religion in order to preach intolerance both religious and political." It was continued afterwards, however, in the form of a monthly journal, with the title of *Mémoires pour servir à l'histoire et à la philosophie.* The principal editor was Grégoire.

the Directory to the legislative bodies, he found them to consist almost wholly of details of factious malevolent conduct on the part of the nonjurors. They obstructed the sales of "national property" and the payment of taxes; they protected deserters and emigrants; they prevented young men from hastening to the defence of their country; they trampled under foot the characteristic emblems of liberty; they preached hatred and vengeance against the conforming clergy. He declares that by these political intrigues they had "caused half the nation to retrograde towards the Middle Ages;" and that "it would take half a century to restore sound sentiments to millions of men who had been misled by pretended vicars apostolic, armed with Pontifical bulls which might or might not be authentic." Such language, contrasting as it did so strongly with that of many previous manifestos, was little calculated to cast oil upon the still surging waves of discord.

The Council sat from the 15th of August till thē 12th of November, on which day it published a synodical letter announcing its termination. On that occasion the Constitutionals protested, in the face of the whole Church, that they had employed every available means to re-establish charity and union with their separated brethren; and declared that, except in a few instances, they had been met either by reproaches and abuse, or (which was the case most commonly) by silence; which latter policy they ventured to interpret as a clear symptom of an untenable cause.

With regard to their relationship to the Roman Pontiff, they state that they are compelled by the very respect they owe to him to reject as apocryphal the briefs circulated in his name in the years 1790, 1791, and 1792, since they were devoid of every proof and sign of authenticity. Had they been genuine, they add, they ought to be denounced in the face of the universal Church, inasmuch as they contain assertions destructive of the sovereign rights of nations,

and even opposed to the teaching of Jesus Christ, which prescribes implicit obedience to existing temporal authority. They "were grieved to see Christians plunged in such gross ignorance as to suppose that men cannot be Catholics without the consent of the Pope; as if Jesus Christ had ever granted to any man the power of repelling the faithful, by his own arbitrary will, from the bosom of His Church!" They had entreated his Holiness to interpose his paternal offices for the pacification of the Church of France; they earnestly hoped that he would no longer preserve silence; they were so deeply convinced of his many Christian virtues that they fully anticipated that he would take vigorous action to repress the religious dissensions which were ruining France, "unless certain perverse intriguers should still succeed in ensnaring his mind and stifling his voice."

They conclude by solemnly appealing to the judgment of the universal Church; and to that end they requested the Pope to convoke as soon as possible an Œcumenical Council, to whose decision they declare that they humbly submit themselves beforehand. In case of its being refused, they demanded the written opinions of the Faculties of Theology and the various Universities of Europe; above all, they invoked the support of other National Churches, "whose duty it was, in justice, in charity, and in conformity with the example of primitive ages, to exert themselves actively in the interest of every portion of the Catholic communion."

The Council wrote repeatedly to the Pope himself, but these overtures were met by a mortifying silence. They complained bitterly of this treatment, which "contributed to prolong a schism disastrous alike to the State and to religion." They implored him with the utmost urgency to let his voice be heard; and even went so far as to impute to his ill-timed reticence all the miseries of the civil war which had deluged France with blood. The briefs published in his name had instigated revolt, by launching the ban of

excommunication against innocent and faithful citizens. These briefs, they were convinced, were spurious; but they could never have been forged or propagated if his Holiness himself had spoken in clear language to his flock, and shown a fatherly anxiety to effect their reunion.*

Perhaps it is not surprising that petitions thus conceived should have been deemed unworthy of response by the Vatican. There was not the slightest ground for the allegation that the briefs attributed to Pius VI. were fictitious. Had they been so, it is certain that the orthodox prelates of France, the French ambassador at Rome, nay, even the authorities of the Revolutionary Government, would quickly have exposed the fraud.

The Council could hardly separate, consistently with its own often-repeated professions, without making a last attempt to draw forth some expression of sympathy and approval from the Apostolic see. But events had passed in the course of that year which made it more and more improbable that the Pope would lend himself to any conciliatory transaction with the schismatic assembly presided over by Bishop Lecoz.

The Directory had long been seeking a pretext for declaring itself in open hostility to the Papal see—a state of things which was morally certain to occur sooner or later between the Revolution and the supreme head of Catholicity. Such a pretext at length offered itself in the Pontiff's refusal to disavow and retract the briefs by which he had condemned the Revolution, and in particular the "Constitu-

* "Silentio tuo factum est, ut prodierit, duraverit, increverit, invaluerit schisma religioni simul ac patriæ damnosissimum. . . . Silentium tuum infanda peperit. Quantum sanguinis diffusum est apud nos, atque adhuc diffunditur, disseminatis per totam latè Galliam brevibus, quæ tuo inscripta et insignita nomine, ad rebellandum impellunt et excitant; scilicet tremendum excommunicationis anathema intentant in cives patriæ amantes, patriæ legibus fideliter obtemperantes. Nemo profecto excogitasset illa malorum nostrorum irritamenta, si statim tu locutus fuisses ut decet patrem, qui inter filios suos scissuras esse minimè patitur."—Theiner, *Doc. inédit.* tom. i. p. 463.

tion Civile du Clergé." The rapid successes of NAPOLEON BONAPARTE in the North of Italy had paved the way for the execution of one of the favourite projects of the ruling powers at Paris, namely, the overthrow of the Pope's temporal authority, and the establishment at Rome of a Republic upon the French pattern. In order to this, it was attempted to force upon his Holiness a series of measures which were well known to be incompatible with his conscientious views of duty. He was summoned to rescind and revoke his public acts relating to the affairs of France since the year 1789, as having been "extorted from him in contradiction to his better sentiments, by the malice of a common enemy." These propositions were submitted to a congregation of Cardinals, who pronounced the demand of the Directory inadmissible; it attacked the Church in its fundamental principles, and the Pope was bound rather to suffer martyrdom than to violate the laws of which he was the appointed guardian.

The reader must bear in mind that at this date the "Constitution Civile" was no longer in existence as a legal statute; that it was binding upon no man; and that in the eyes of the Directors themselves it was an obsolete episode of utter insignificance. They revived it on this occasion simply for the purpose of reducing the Pope to extremity, and compelling him to yield to superior physical force. It so happened, however, that the young leader of the French armies in Italy—the hero of Montenotte, Arcola, and Lodi—entertained a somewhat different notion of the treatment due to the Chief Pastor of the Christian Church; and in the painful transactions which followed he showed a spirit of singular moderation with regard to the purely religious difficulties contested between France and Rome. The Pope having declined to ratify the conditions laid down by the Directory, Bonaparte announced the rupture of the armistice concluded at Bologna in the summer of 1796; but

he proceeded to open fresh negotiations with the Vatican through the agency of Cardinal Mattei,* and in the end effected an arrangement which, while it inflicted on the helpless Pontiff outrageous spoliation in his temporal capacity, respected his religious scruples, and no longer exacted from him a compromise with heterodoxy and schism. In spite of pressing instances from Paris, which urged him to seize the opportunity of extinguishing for ever the whole fabric of Pontifical sovereignty, he signed on the 19th of February, 1797, the Treaty of Tolentino,† which—though it curtailed the patrimony of St. Peter of its fairest provinces, and imposed other sacrifices and humiliations unspeakably vexatious, including the definitive cession of Avignon and its dependencies—sanctioned no encroachment on the spiritual independence of the Vicar of Christ.

Six months later (August 3, 1797) Bonaparte explained his personal views on this subject in the following letter to Mgr. Caleppi, the Pope's minister at Florence, which cannot fail to be interesting to the reader.

"At the time of the Treaty of Tolentino, the plenipotentiaries of his Holiness and those of France caught sight of ‡ the moment when it might be possible to bring about an understanding between the Holy See and France, and when the Pope and the French Government might employ their influence reciprocally to secure the internal tranquillity of both States, and combine for the satisfaction of all parties. The present moment seems propitious for beginning to execute this great enterprise, in which wisdom, sound policy, and true religion must needs play so large and prominent a part.

"The French Government has recently given permission for the reopening of the churches dedicated to the worship of the Catholic, Apostolic, and Roman religion, and has

* *Correspondance de Napoleon* Ier, tom. ii. p. 66.

† *Correspondance de Napoleon* Ier, tom. ii. p. 344.

‡ "Entrevirent."

granted to that religion toleration and protection. Now either the priests will accept this first act of the Government in the true spirit of the Gospel, by promoting public tranquillity, and preaching those maxims of real charity which form the foundation of Christianity; and in that case I feel confident that they will obtain a still more substantive protection, and that a successful advance will have been made towards the object so much to be desired; or, should they conduct themselves in a totally opposite manner, they will again be persecuted and driven from France."

"The Pope, as father of the faithful and the common centre of the faith, may doubtless exercise great influence over the conduct of the priesthood. Perhaps he may consider that it will be worthy of his own wisdom, and of the holiest of religions, to issue a bull or mandement directing the clergy to preach submission to the Government, and to do all in their power to consolidate the Constitution now established. If this document should be expressed in terms well adapted to the end in view, it may prove a step of vast importance, extremely advantageous to the interests of religion.

"After this first operation, it may be useful to consider the measures which may be taken towards reconciling the Constitutional priests with the non-Constitutionals; and subsequently, the measures which the court of Rome may think proper to propose for the removal of all obstacles, and the restoration of the principles of religion in the hearts of the majority of the French people.

"I request the minister of his Holiness to communicate these ideas to the Pope, and to let me know his reply as soon as possible. The desire to be useful to religion is one of the principal motives which have dictated the present note. The simple and pure theology of the Gospel, the wisdom, political intelligence, and experience of the Pope, may, if they are listened to exclusively of other considerations, produce happy

results for Christendom and for the personal glory of his Holiness, who is well aware of the private sentiments of affection with which I regard him.

"BONAPARTE." *

It is clear from passages in this letter, that the future Consul and Emperor was already meditating one of the boldest enterprises of which he was to be the providential instrument,—the re-establishment of the Catholic Church in France by means of a Concordat with the Holy See. At that moment Bonaparte possessed no direct political authority; but his lofty genius, and his keen insight into the real feelings and convictions of his countrymen, inspired him with all the self-reliant confidence required by the exigencies of the time; and he addressed the Pope as if conscious that the destinies of France, nay of Europe, were practically in his hands. In like manner he issued without scruple, on his personal responsibility, regulations of the utmost importance as to the position and support of the emigrant French priests in Italy. A proclamation dated from his headquarters at Macerata declared that the "refractory priests were authorised to remain in the States of the Pope conquered by the French armies." The troops, and all individuals of other classes, were forbidden, under the severest penalties, to molest them under any pretence. The priests were to be distributed in the different convents, where the superiors were to provide them with lodging, board, light, and fire. They were likewise to be supplied with fifteen francs per month for clothing and other expenses, against which sum they were to reckon the money they received for their masses. They were recommended to the special protection of the Government authorities, military and civil; and the general-in-chief caused it to be understood that he would see with pleasure any movement on the part of the Italian bishops

* *Correspondance de Napoleon* I^er^, tom. iii. p. 218.

and clergy towards improving the situation of these necessitous strangers.

But the humane and considerate policy of Bonaparte by no means harmonised with the views of the Government at Paris. The Directory was bent upon dethroning the Pope by force, and revolutionising Rome; and finding that their general was not prepared to execute that commission, they sought to attain their end by secret machinations, and fomented various movements of sedition and insurrection. One of these occurred on the 28th of December, 1797, and was instantly converted into a means of carrying out the decisive measures so long resolved upon against the Papal Court. A riotous assemblage collected under the windows of the French embassy at the Palazzo Corsini; a young general named Duphot imprudently descended and placed himself at their head; a collision ensued with a detachment of the Pontifical troops on guard at the Ponte Sisto; the latter fired, and Duphot fell mortally wounded.* This catastrophe, manifestly accidental as it was, was resented by the French with the utmost violence. The ambassador, Joseph Bonaparte, demanded his passports, and retired the next day to Florence; all amicable relations with the Pope were broken off; the army, under the command of Berthier, was ordered to invade the States of the Church, and on the 29th of January, 1798, encamped beneath the walls of Rome. The Castle of St. Angelo was occupied without opposition on the 10th of February; and it was announced that the French, after exacting ample satisfaction for the

* "Duphot n'hésita point à se jeter à leur tête, et à les conduire à l'assaut du quartier de soldats le plus voisin; c'était celui de Ponte Sisto. Les soldats, en assez petit nombre, s'y tinrent d'abord renfermés; mais se voyant insultés et attaqués, et ne s'y jugeant pas en sûreté, ils s'avancèrent le fusil sur l'épaule contre la populace. Elle ne céda pas. Les soldats se sentaient dans une fâcheuse position; l'un d'eux lâche la détente de son arme. La fatalité, ou plutôt la Providence dans ses desseins cachés, voulut que ce seul coup atteignit au milieu de cette multitude le général Duphot, placé en tête, et qu'il l'étendit mort."—*Mémoires du Cardinal Consalvi*, tom. ii. p. 54.

assassination of Duphot, would forbear further interference, and leave the government intact in the hands of the Holy Father. But two days later the scene changed. A pre-arranged farce was played between the "patriots" of Rome and the invaders; a deputation of the former entreated Berthier to remodel their public institutions in accordance with those established in France; and on the 15th the dethronement of the Pope and the appointment of a provisional Republican government were proclaimed from the Capitol. The subsequent course of events is well known. Pius VI. was forcibly removed from the Vatican, and conveyed under an armed escort to Sienna; whence he was transferred, after a sojourn of three months, to the Certosa near Florence. On the fresh outbreak of hostilities between France and Austria in the spring of 1799, the Directory judged it necessary to transport their august prisoner into French territory. In cruel disregard of his great age and many painful infirmities, he was hurried across the Alps at an inclement season, and reached Valence in Dauphiné, in a state of grave suffering and prostration, on the 14th of July. His exhausted powers never rallied. After exhibiting a memorable example of unwavering Christian fortitude and patience, he expired on the 29th of August, 1799, in the eighty-second year of his age.

CHAPTER X.

SEVEN years of anarchy, persecution, terrorism, and civil bloodshed had wrought conviction in the great majority of intelligent minds as to two points of primary importance. It was evident, in the first place, that Catholicism could never be maintained in France as in any sense a *national* religion, except in the shape in which it had been handed down from very remote antiquity, namely, that which recognised the Roman Pontiff as the source of spiritual jurisdiction and the Sovereign Ruler of the Church. And secondly, it was clear that no religious organisation could permanently prosper, unless based upon the condition of religious liberty, frankly accepted and faithfully observed as an essential law both of Church and State. The miseries of the Revolution, as the details of the preceding narrative prove conclusively, had arisen mainly from the denial or neglect of those great master principles; but an attempt was now to be made, for the first time in the history of France, to assert and exemplify them in cordial concert. The ecclesiastical events which followed the elevation of NAPOLEON BONAPARTE to power on the 18th of Brumaire (9th of November), 1799, resulted from a gradual reaction of feeling which had grown up during the latter part of the ignoble reign of the Directory. France had indeed definitely rejected her ancient monarchical traditions, and with them had abolished that princely hierarchy which had ever been the

most effective bulwark of the throne; but a belief was now gaining ground that religion, the religion of the Church Catholic, was not incompatible with democracy and popular government; and that if its influence could be restored, the institutions which had sprung from the Revolution would be confirmed, rather than weakened, in power and durability.

Meanwhile the conflict of parties and passions still raged fiercely throughout the country; and it required all the genius, all the sagacity, all the firmness, all the determination, of the First Consul to triumph over the difficulties of the crisis. The partisans of the *ancien régime* were neither few nor powerless; and no sooner was the project mooted of a reconciliation between France and Rome than they broached their characteristic doctrines in a tone of absurd exaggeration. They demanded the unconditional restoration of the Bourbons; a disavowal of all the acts of the Revolution; the reinstatement of the clergy in the position which they occupied before 1789; a recognition of the Church as *dominant*, invested with all its exclusive privileges and authority.

On the other hand, the Republicans denounced as retrograde and preposterous the very notion of any national compact with Catholicism and the Chair of St. Peter. That a Christian priesthood and hierarchy should be permitted to exist at all in France was in their eyes an intolerable offence to the principles of the new social system. The Catholic faith was an anachronism; its worship an obsolete superstition; any attempt to revivify them would assuredly be resented by the enlightened spirit of the age with such vigour as would effectually defeat the enterprise. The Constitutional clergy, again, while professing theoretically the deepest reverence for the Holy See as the centre of Catholic unity, were in reality thoroughly opposed to any programme of pacification which should assert in practice the spiritual supremacy of Rome. Nor were there wanting those who

thought that an opportunity was now offered for abolishing altogether the ancient economy of Christendom, and transforming the Church of France into an independent State establishment, after the fashion of Protestant England. The position of parties, in short, was complicated, disjointed, and perplexing in the extreme.

The First Consul, however, had long since determined upon the line of action which in his judgment was essential to the reorganisation of religion, and suffered no obstacles to thwart his purpose.

Among the earliest acts of his government were three decrees (issued December 28, 1799) which indicated an important change of feeling towards the nonjuring clergy, and a disposition to deal equitably with the ancient Church. The offensive edicts of the Directory as to the observance of "Décadi" instead of Sunday, were summarily repealed; and the local authorities were ordered to see the laws relating to the freedom of religious worship "executed according to their form and tenor." The faithful were maintained in the possession of all parish churches which had not been alienated up to that date, on condition that no attempt should be made to trouble the actual proprietors of those which had been sold in due course of law; and lastly, the oath of "hatred to Royalty," which had so seriously distressed the Catholic conscience, was abolished, and replaced by a simple promise of "fidelity to the Constitution." * Orders were given at the same time for the liberation of a large number of unfortunate priests who had been incarcerated since the revolution of Fructidor in the isles of Rhé and Oléron.†

Bonaparte declared his sentiments still more distinctly

* "Tous les fonctionnaires publics, ministres des cultes, instituteurs et autres personnes qui étaient par les lois antérieures à la constitution assujeties à un serment ou déclaration quelconque, y satisferont par la déclaration suivante: 'Je promets fidélité à la Constitution.'"—*Annales de la Religion*, tom. x. p. 154.

† *Correspondance de Napoleon* I^er^, tom. vi. pp. 47, 48, 60.

and significantly in his celebrated address to the assembled clergy of Milan, on the 5th of June, 1800, a few days before the battle of Marengo. He assured them that he was fully resolved to protect and defend the Catholic, Apostolic, Roman religion at all times and by every means in his power. Modern philosophers, he observed, had laboured to persuade France that that religion was the implacable enemy of democracy and Republican government. Hence arose the cruel persecution inflicted by the French Republic upon religion and its ministers; hence all the horrors and disorders of the Revolution. Experience had undeceived the French people, who were now convinced that of all religions the Catholic best adapted itself to different forms of government, and that it was specially favourable to the democratical system, that it sympathised with its laws and illustrated its principles. "I myself," he continued, "am a philosopher, and I believe that no man can be virtuous and just, in whatever condition of society, if he knows not whence he came and whither he goes. Mere reason cannot enlighten us upon that head; without religion one walks continually in darkness; and the Catholic religion is the only one that imparts to man certain and infallible instruction as to his origin and his ultimate destiny. France, taught by her misfortunes, has at length opened her eyes, and has recalled Catholicism to her bosom. I cannot deny that I have greatly contributed to that good work. I announce to you that the churches are reopened in France, that the Catholic religion is recovering its ancient glory, and that the people regard with respect their reverend pastors who are returning full of zeal into the midst of their deserted flocks." He begged that they would not be alarmed by the treatment to which the late Pope had been subjected; it had been caused partly by the intrigues of those to whom he had given his confidence, and partly by the cruel policy of the Directory. So soon as he could have an interview with the Pope just elected, he hoped to have

the happiness of removing all obstacles which might even yet stand in the way of the complete reconciliation of France with the head of the Church. "I am aware of all that you have suffered, both in your persons and in your property. Your persons, I once more assure you, shall henceforth be sacred and respected by all the world. As to your property, I will not fail to give the necessary orders for its restitution, at least in part, and I will take measures which will secure to you an honourable maintenance for all future time." He concluded by requesting that this discourse might be printed, in order that his intentions might be made publicly known, not only in Italy and France, but throughout Europe.*

The First Consul's speech was soon circulated far and wide, and produced an immense sensation. He took the earliest opportunity of illustrating his ideas in practice. On his return in triumph from the field of Marengo he wrote to the other two Consuls: "To-day, in spite of whatever may be said by our atheists of Paris, I go in great state to the Te Deum which is to be sung in the metropolitan church of Milan." Within a fortnight afterwards he made a direct advance towards negotiating with the Court of Rome.

Seldom had events reached a climax so apparently disastrous to the authority, both temporal and spiritual, of the Apostolic See, as when Pope Pius VI. breathed his last a helpless captive in the citadel of Valence. The cause of Antichrist seemed to have won a decisive victory. The flag of the infidel invader waved without opposition at the Vatican, at the Capitol, at the Quirinal. The College of Cardinals had dispersed in terror; their palaces were pillaged, their property confiscated; even their lives were in peril, and it seemed scarcely possible that they would be able to meet peaceably in conclave to elect a successor to the Papal throne. It was openly proposed, indeed, at Paris, that any such step

* *Correspondance de Napoleon* I^er^, tom. vi. p. 338.

should be prevented by force. But the ways of Providence are inscrutable. Before three months had passed the government of the Directory ingloriously collapsed; and from that moment the French Republic had scarcely more than a nominal existence. Its armies were rapidly driven from Italy by a formidable coalition under the auspices of the Emperor Paul. Rome was liberated by an English squadron under Nelson; the whole of Tuscany was overrun by the Austrians under General Melas; Suwarrow and his Russians poured down from the Alps upon the plains of Lombardy, defeated in succession the French generals Schérer, Macdonald, Masséna, and Joubert, and re-established the Austrian dominion throughout the north of Italy. Under these circumstances the Emperor Francis II. interposed as the protector of the Church; and the monastery of S. Giorgio at Venice was placed at the disposal of the Cardinals for the purpose of the approaching Conclave. There they assembled, thirty-five in number, on the 30th of November, 1799; and a series of intrigues ensued which suspended during several months their decision upon a question of such pressing importance to the Church. It appears from the Memoirs of the celebrated Consalvi (who acted as Secretary to the Conclave) that shortly after the commencement of the scrutiny a nearly sufficient majority of votes was obtained by Cardinal Bellisomi, a man of the highest qualities and character, but who, it was imagined, might not be personally acceptable to the Emperor. That the Pontiff about to be elected should be agreeable to his Imperial Majesty was a primary consideration, not only because the Conclave had met under his protection, and at his expense, but also because the course of events had made him master of the three Legations wrested from the Pope by the Treaty of Tolentino, which it was hoped that he might be induced to restore. But the Emperor had other views; he designed to annex those provinces permanently to his own dominions; his object, therefore, was to procure the election of a Pope who would be likely

to countenance that policy.* Accordingly Cardinal Herzan, the Imperial minister, had orders to support the candidature of Cardinal Mattei, who had conducted the negotiation on the part of Pius VI. at Tolentino. That Cardinal, however, failed to obtain the requisite number of voices; and the success of Bellisomi appeared next to certain, when a secret understanding was arrived at between Consalvi and the French Cardinal Maury, in virtue of which it was arranged that, by way of compromise, the friends of Mattei should choose a candidate from the ranks of the opposite party, and by uniting their suffrages should place him in a decisive majority. This ingenious scheme was found to be encumbered by manifold difficulties, but at length they were happily surmounted; all sections of the electors concurred in the nomination of Cardinal Chiaramonte, bishop of Imola; and on the 14th of March, 1800, he was unanimously proclaimed Pope. He assumed the name of Pius VII.

Gregorio Chiaramonte was born at Cesena, in the States of the Church, in August, 1740. Resolving to devote himself to the monastic life, he became a member of the Benedictine Order in the celebrated abbey of Monte Casino, and afterwards repaired to Rome, where he spent some time in the monastery of St. Paolo extra Muros. Pius VI., who was his relation, made him bishop of Tivoli, and subsequently of Imola in the Romagna, on which latter occasion he also received a Cardinal's hat. When the French invaded Italy in 1798, he conducted himself with remarkable self-control and moderation; and even went so far as to publish a pastoral letter to his flock, in which he argued that there was no real antagonism between the Catholic religion and the new forms of society which had arisen from the Revolution. These manifestations of liberal sympathies, rare as they were at that date in the mouth of a Roman dignitary of the highest rank,

* *Mémoires du Cardinal Consalvi*, tom. i. p. 221.

naturally recommended Chiaramonte to the First Consul; who no sooner heard of his election as Pope than he resolved to enter into immediate communication with him, with the view to discover, if possible, a definite solution of the grave ecclesiastical difficulties of France. The first person to whom he opened his mind was Cardinal Martiniana, bishop of Vercelli, with whom he had an interview at Milan, and begged him to make known his wishes to the Holy Father, who had not yet taken possession of his throne, but was on the road from Venice to Rome. The Cardinal wrote to his Holiness without delay; and one of the first acts of Pius VII. on his arrival at Rome was to respond in terms of lively satisfaction to the advances made by Bonaparte. While eagerly embracing the invitation to engage in this noble undertaking, the Pope did not conceal his sense of the serious difficulties which must necessarily be encountered in its execution. He expressed his intention to send a confidential envoy to explain his sentiments to the First Consul, to receive his proposals in return, and to transmit them for detailed examination to the authorities at Rome. The person designated for this duty was Joseph Spina, a prelate of eminent ability, and specially distinguished for his knowledge of civil and ecclesiastical law. Spina had attended Pius VI. in his exile, and had been consecrated archbishop of Corinth *in partibus* during that Pontiff's sojourn at the Certosa of Florence. The choice is said to have been suggested by Bonaparte himself, who had made acquaintance with Spina at Valence, on his return from the Egyptian expedition in the year preceding, very shortly after the death of Pius.* No time was lost, then, in despatching that accomplished prelate to Turin; but on arriving there he found that the First Consul had already taken his departure, leaving instructions that he should follow him without delay to Paris. Thither he proceeded

* *Mémoires du Cardinal Consalvi*, tom. i. p. 293.

accordingly, and reached the French capital in the first days of November, 1800, in company with F. Caselli, an experienced theologian, formerly General of the Servites, whom he had chosen for his adviser and assistant in matters of doctrine. He was at once directed to enter into conference with Talleyrand, Secretary for Foreign Affairs, and the Abbé Bernier, formerly curé of St. Laud at Angers, well known for the important part which he had played during the wars of La Vendée. Bernier was one of the many remarkable characters created, so to speak, by that extraordinary contest, and possessed gifts and qualities of no common order. His skill, his resolution, his ceaseless activity, his eloquence, had contributed powerfully to the success of the insurgents at the outset of the struggle; and when victory was changed into defeat, and the ruin of their cause seemed imminent, it was his voice that had rallied their drooping energies, sustained their hopes, healed their internal divisions, and obtained for them consideration and forbearance when it became necessary to treat for terms of peace. With this latter object he offered his services to Bonaparte during the brief revolt of 1799. The First Consul quickly appreciated his abilities as a diplomatist, and treated him with peculiar marks of regard; and it was mainly by his instrumentality that the act of pacification was arrived at which established the authority of the new government throughout the Western provinces.*

* "The First Consul," wrote Bernier on the 15th of February, 1800, "is an extraordinary man, who feels strongly that all the sacrifices made by the Vendeans cannot be condemned to remain unfruitful. When I tell him of the piety and the traits of courage which I have often witnessed, his face becomes animated, and one would think he was jealous of these soldiers whom he has never commanded. He has said to me more than once, 'I should be proud to be a Vendean;' and he asks whether it was solely from attachment to their princes that our peasants were so ready to encounter every sort of danger. I replied that no doubt the Bourbons had their share in eliciting such expressions of devotion, but that the attack upon religion and the clergy was the motive in the great majority of cases. Repeatedly he has said, 'I will restore all that to them; ought we not to do something for those who have done so much for religion?' I feel convinced that he *will* do it; never has any man more thoroughly seized the meaning of events."—Cretineau-Joly, *L'Eglise Romaine en face de la Révolution*, tom. i. p. 249.

Such was the man who was now entrusted with the delicate task of communicating to Archbishop Spina the project framed at the Tuileries for the restoration of ecclesiastical unity in France. In his first note, delivered on the 8th of November, Bernier laid down the leading principle upon which that momentous transaction was to proceed. It was nothing less than the extinction, either by voluntary resignation or by compulsory deprivation, of the whole of the existing episcopate. He pointed out that most of the exiled prelates were known to be bitterly hostile to the Revolutionary principles then dominant, and would therefore be precluded from exercising their functions with the goodwill and to the advantage of their flocks; that if replaced in their sees, they would almost of necessity provoke a renewal of social agitation and disorder. The government could not sanction any step which might expose the country to such calamities. It was anxious for unity, but desired to establish it in such a manner that no one invested with an influential public character should become an instrument of fresh division and discord.* The expatriated bishops ought to share these sentiments, and to be ready to abandon their office, if that step should be judged conducive to the peace of the Church,

* The following is the official justification of this sweeping measure furnished by the Abbé Bernier: "Si cette question est la plus pénible pour Sa Sainteté, elle est aux yeux du Gouvernement la plus importante. Il m'ordonne de dire à Sa Sainteté qu'il ne peut rétablir en France la religion qu'à des conditions qui ne blessent ni l'opinion nationale, ni la tranquillité publique. Pour parvenir à ce but, il veut d'abord pouvoir exclure ceux des anciens évêques dont l'influence lui paraîtrait incompatible avec l'état actuel des choses, et qui, depuis la Révolution, semblent avoir identifié leur épiscopat avec tel ou tel régime, de telle sorte qu'ils ne conservent et n'exercent l'un que pour parvenir à l'autre; ce qui nécessairement deviendrait pour la France une source fatale de nouveaux troubles et de nouveaux déchirements. Il veut encore que les évêques titulaires de la circonscription nouvelle ne puissent être troublés par ceux dont les titres seront réunis à leurs siéges, ce qui ne peut s'effectuer sans leur démission préalable. Il désire enfin que parmi les anciens évêques qui se sont rendus recommandables au milieu des malheurs publics par leurs vertus et leur modération, et qu'à ce titre il pourra conserver, tous reconnaissent que c'est au choix libre du gouvernement, ratifié par Sa Sainteté, qu'ils doivent le poste qu'ils occupent, et qu'à la fidélité promise ils joignent le lien sacré d'une reconnaissance juste et légitime."—*Notes de M. l'Abbé Bernier sur le projet de Traité, etc.* Theiner, *les deux Concordats, Pièces justificatives, No. XIV.*

after the example of St. Augustine, of Aurelius bishop of Carthage, and their three hundred colleagues, at the time of the Donatist schism.* When circumstances demanded that sacrifice, it belonged to the Holy See to notify its necessity to the bishops, and to require it of them, not by way of judicial punishment, but as an act of meritorious self-devotion to the interests of religion and the Church. The government was not disposed to specify by name those prelates whose conduct or principles were deemed incompatible with the tranquillity of the State; it preferred to recommend a general resignation, at the command of the head of the Church, with the understanding that those prelates would be subsequently reappointed who lay under no prejudice sufficient to disqualify them from usefully resuming the duties of their office. This object would be studiously carried out; but it was indispensable that the clergy should be men upon whom the executive authority could confidently rely, and no other measure but that just designated seemed adequate to effect that end. Bernier therefore begged that this might be adopted as the principal feature of the desired reconciliation. That which the Church of the fifteenth century had sanctioned for the purpose of healing the great Schism of the West, when three candidates were competing for the chair of St. Peter, might surely be justified on the present occasion, when the question regarded the re-establishment of ecclesiastical union on a much smaller scale.

This announcement was sorely embarrassing to the Papal envoy. He opposed it with much energy in his reply, enlarging on the gross injustice of deposing from their sees at least eighty venerable prelates, who had already suffered severe losses and hardships for the sake of religion, and were entitled to the utmost consideration and gratitude on the

* See Fleury, *H.E.* xxii. 29.

part of the Apostolic See. As to the idea that their return to France would prove the source of fresh troubles, Spina suggested that, inasmuch as throughout the Revolution they had always inculcated obedience to government, and to all laws not directly contrary to those of God and the Catholic religion, it was not to be doubted that they would follow the same course upon their reinstatement, with increased energy and wider success. In such a state of things it would be out of the question for the Pope to command those prelates to resign, or to put others in their place if they refused to yield. It would be strange indeed to see the standard of the Catholic Church raised upon the ruins of eighty pillars of the faith which had been overthrown and destroyed by the self-same Apostolic arm which is bound to support and protect them. No other method remained, then, but that of exhortation; and if this should prove ineffectual, and the Sovereign Pontiff should proceed, nevertheless, to make provision against their will for the government of their dioceses, it was easy to see what an endless amount of trouble and calamity might thereby be entailed upon France.

Another concession, scarcely less distasteful, which was demanded of the Pope, was the sanction of the confiscation and sale of ecclesiastical property by the decrees of the National Assembly. Bernier stated that that act of the legislature had been a measure of stern political necessity; and that the clergy, like every other class, had been compelled to exercise self-denial without limit under the force of the Revolutionary torrent. The estates in question had passed legally into the hands of the actual possessors, and were held under the express guarantee of the government and the public faith. Any attempt to invalidate that compact would unquestionably expose the Church to the disaffection and enmity of a large part of the nation. It was required, then, as a second condition, that the transfer of the Ecclesiastical domains, now called National, should be

maintained and ratified by the Church, and that the Holy See should condemn and prohibit any sort of interference with the proprietary rights of the present owners.

Spina rejoined by a long and learned disquisition on the sinfulness of sequestrating the property of the Church; and urged the necessity of restoring on this occasion at least some part of what had been abstracted, for instance, the suppressed tithes. To this suggestion the government paid no attention, and persisted in its demand.

Another article propounded on the part of the First Consul related to the new circumscription of dioceses. The number of diocesan bishops was to be fixed at fifty, together with twelve archbishops. Spina protested, but in vain, against this arrangement, which swept away more than half the ancient Gallican episcopate.

A still more perplexing question remained to be discussed. No mention had as yet been made of the position and claims of the Constitutional clergy. The government, however, by no means intended to exclude from the scheme of comprehension a body of men who were so loud in their professions of allegiance to the Pope, and whose political principles, moreover, were so acceptable to the existing ruling power. "The political peace," wrote Talleyrand to Bernier, "which the government has succeeded in re-establishing in France rests upon no other basis than that of an oblivion of past dissensions, and the appeal made to men of all opinions to combine with each other under the safeguard of the laws. Religious peace cannot be effected except by reuniting all consciences, and every denomination of ecclesiastics, under the benign and paternal authority of the Holy See." The First Consul accordingly claimed the same right of manifesting interest and consideration towards the Constitutional clergy which the Pope was anxious to express in favour of the ancient hierarchy.

Such a proposition was naturally inadmissible in the eyes

of the Italian prelate, who stated his objections without reserve. It appears that the French minister thereupon dropped it for the time, though without the smallest intention of yielding the point on the conclusion of the definitive treaty.

Two months were thus consumed in preliminary discussion, and little or no progress had been made towards the desired adjustment. At length, in the last days of January 1801, the commissioners agreed on the draft of a Convention, to which it was hoped that the Court of Rome would not refuse its sanction, in order that the restoration of tranquillity in the Church might be announced at the same moment with the political treaty which was on the point of being signed at Lunéville. This draft, however, like others which had preceded it, was rejected on the part of the Pope. Another scheme, the fifth, was substituted for it, and was immediately submitted for examination to a commission of twelve Cardinals.

In the meantime the First Consul despatched to Rome a diplomatist named Cacault, who had already acted as minister of France at several Italian courts, and had won golden opinions by his tact, integrity, and soundness of judgment. Cacault was instructed to "treat the Pope as if he were master of two hundred thousand men;" and he seems to have fulfilled this as well as other important features of his mission with such success as to remove many scruples from the mind of both the Holy Father and of Cardinal Consalvi, who was now his confidential Secretary of State. The commission terminated its labours, and the draft treaty, into which certain alterations had been introduced, was in due time returned to Paris, accompanied with the necessary powers to Archbishop Spina to sign it, if the proposed corrections should be accepted by the French Government. But Pius and his minister little knew the intractable, dictatorial, peremptory nature with which they had to deal. What

must have been their consternation on receiving intelligence from Bernier, on the 29th of May, that the First Consul refused to admit the very slightest modification, either as to substance or expression, into the Concordat last despatched to Rome; and that if within the space of five days the Pope had not signed it unreservedly as it stood, the ambassador Cacault had orders to quit Rome and retire to the head-quarters of General Murat at Florence! Bernier charged the responsibility of this threatened rupture upon the fatal hesitation and procrastinations of the Court of Rome.

Consalvi was so agitated by these tidings that he fell ill of fever, and besought the Pope to accept his immediate resignation. After the lapse of a few days, however, he addressed an elaborate and dignified note to M. Cacault, recapitulating the whole course of the negotiation up to that moment, and explaining that his Holiness, while anxiously desiring to meet the views and wishes of the ruler of France, was restricted in the exercise of his ministry by fixed laws and limits which it was impossible to transgress. He had already gone to the fullest lengths of concession which appeared to him justifiable; and he was now compelled to declare, after mature deliberation, that it was not in his power, according to the terms of the authority he held from God, to adopt without modification the propositions lately transmitted from Paris. The departure of the French ambassador from Rome would be to the Holy Father a source of sincere regret; he lamented the prospect of a rupture which on his part was undeserved, and the results which might possibly follow from it; but he committed his cause to God, and was prepared to meet whatever eventualities Heaven might have reserved for him in its supreme decrees.*

Cacault expressed himself infinitely distressed by the

* *Mémoires du Cardinal Consalvi*, tom. i. p. 303.

necessity imposed on him by one whose temper, he knew too well, "never allowed him to listen to persuasion." He dared not postpone his departure; he would fain have represented to his master the unanswerable reasons which governed the Pope's conduct, and made it impossible that he should act otherwise; yet at the same time he had little hope of success, knowing that matters like those in question are seldom rightly approached by the secular mind, and especially by those who have been trained in opposite principles. Cacault conceived, nevertheless, that the situation was not hopeless. An ingenious expedient occurred to him, by which he believed that the fragile thread of the negotiation might yet be preserved. The Cardinal-Secretary himself must proceed without a moment's delay to Paris, in company with the representative of France, to communicate personally with Bonaparte, who could not but be gratified and conciliated, he thought, by such an exceptional mark of confidence. After much hesitation and with considerable difficulty, this arrangement was at length effected. On the 6th of June, the day following that on which the brief interval prescribed by Bonaparte expired, Cardinal Consalvi and the minister Cacault set out from Rome together in the carriage of the former, and took the road to Tuscany, in the presence of a crowd of spectators. The sight was interpreted, as was intended, as a proof that the relations between Paris and the Quirinal were still of the most friendly character. It was a palpable rebuke to the enemies of religion and of public order, to Jacobins and Revolutionists; they were utterly disconcerted, and perfect tranquillity continued to reign at Rome.

"You will understand," wrote Cacault to Talleyrand on reaching Florence, "that the Cardinal is not sent to Paris to sign terms which the Pope has refused to sign at Rome; but he is the first minister of his Holiness, and his favourite; it is the Pope's very soul that is about to enter into com-

munication with you. I trust you will arrive at an adjustment with respect to the modifications. The question is one of phrases, of forms of expression; which may be turned and twisted in so many different directions, that in the end you can hardly fail to discover the best." *

At Florence the travellers separated, and Consalvi pursued his journey alone to the French capital, where he arrived late at night on the 20th of June, and took up his quarters at the Hôtel de Rome in the Rue St. Dominique, where Spina and Caselli were lodged. Next morning he was visited by the Abbé Bernier, and arrangements were made without loss of time for his presentation to the First Consul, which took place at the Tuileries on the evening of the 22nd.

It must be mentioned that the account given by the Cardinal in his Memoirs of what passed at this first audience differs in some respects from that contained in his official correspondence with Cardinal Doria, who acted *pro tempore* as Secretary of State at Rome. This is to be explained, probably, by the fact that the Memoirs were not composed till eleven years after the event, and at a moment when their author was under the influence of a too natural resentment against the French Emperor, caused by his cruel treatment of the Pope and his faithful counsellors. "Composing these Memoirs," says the Cardinal, "after an interval of almost eleven years, and without having before me the original documents relating to the subject, it is possible not only that I may fail to record some few facts and circumstances which are no longer present to my mind, but even that some mistake may slip into the narrative, some doubtful date, or inaccuracy of that sort. Nothing, however, will be stated which is not perfectly true and certain as to substance; and the account I am about to give may be

* *Archives du Ministère des Aff. Etrangères à Paris.* Quoted by Theiner, *Histoire des deux Concordats*, tom. i. p. 162.

fully relied upon for the purpose of discrediting and refuting any other statement which may represent motives, events, or conclusions in a sense opposed to what I have here said." The despatches, on the other hand, were written during the actual course of the negotiations; and Consalvi himself appeals to them as the only absolutely accurate record of these memorable proceedings. "Without the help of these documents," he says, "it would be impossible to speak of the Concordat as to its intrinsic substance and merits. And even if it were possible, the period of time at which I write these pages would hardly authorise it."* Thanks to the valuable work of F. Theiner, we are enabled to authenticate our narrative of these transactions by copious quotations from the despatches themselves.

According to the Memoirs, the behaviour of the First Consul towards the Cardinal on his introduction was imperious, abrupt, and barely courteous. "I am aware of the motive of your journey to France. I desire that the conferences may be opened immediately. I allow you five days' time, and I warn you that if by the expiration of the fifth day the negotiations are not terminated, you must return to Rome, inasmuch as I have determined, for my part, how to act in that contingency."

The despatch of the 23rd of June to Cardinal Doria states, nevertheless, that "the reception was of the most solemn and honourable kind; the First Consul showed all possible respect for the dignity with which I (Consalvi), however unworthy, was invested." In the conversation which followed, and which lasted more than half an hour, Bonaparte spoke, at first, with an air of soreness, but afterwards in a tone of complacency and even of gaiety, of the prevalent state of feeling in France, of the dispositions of the Holy See, of the Concordat, and of the reasons which

* *Mémoires du Cardinal Consalvi*, tom. ii. p. 345. Cf. Theiner, *Histoire des deux Concordats*, tom. i. pp. 168–69.

prevented him from adopting the alterations proposed at Rome. "He added that a new scheme would be laid before me—that is to say, that certain modifications would be inserted in that previously contemplated;—but that this new convention must positively be signed within the space of five days." *

"I replied that I had authority to explain and even to change any particular phrases in the treaty, provided that no alteration were made affecting its substance. If therefore I found, on examining the document of which he spoke, that the principle of the measure remained intact, I would sign it at once with pleasure; but if any change had been made in matters of essential importance, I should be compelled to send a courier to Rome, or even to return thither myself, in order to submit the case to his Holiness and receive his instructions."

"The First Consul repeated that urgent reasons made it impossible for him to consent to the smallest delay; that consequently, either I must sign the treaty within five days, or that he himself would break off all negotiations with the Pope, and adopt a National religion—an enterprise, he said, which he possessed the means of undertaking with the certainty of success." Bonaparte then bowed slightly, and the audience was at an end.

The opposition excited in France against the project of reconciliation with Rome was, according to Consalvi, almost incredible. The legislative and administrative bodies, the provincial magistracy, the "philosophers," the men of letters, the gay world of Paris, and the great majority of the army, were violently hostile to it; they regarded it almost in the light of an attempt to destroy the Republic and re-establish Monarchy. Bonaparte himself was no doubt sincerely in its favour; but even his iron will was controlled to

* Theiner, tom. i. p. 175.

some extent by the fierce antipathies which for so many years past had severed France from the common traditions and sympathies of Christendom. He was hampered by the objections urged by other members of the Government; he shrank, in the distracted condition of the country, from giving offence to any important party; and, moreover, he was resolved that, if a Concordat were made at all, it should be made in accordance with his own notions both of ecclesiastical and civil polity, without regard to the antiquated maxims and pretensions of the Court of Rome. It is easy to comprehend, under such circumstances, the multiplied embarrassments which perplexed the subsequent course of the negotiation.

The First Consul, in order to prove to Consalvi that the alternative at which he had hinted of entering into arrangements with the Constitutional Church was no mere empty menace, permitted Bishop Grégoire and his brethren to hold a second "National Council" at Paris under the very eyes of the Papal plenipotentiary. It was opened on the 29th of June, 1801, and consisted of forty-three prelates, together with deputies of the second order representing fifty-two dioceses. A declaration was adopted, as on the former occasion, expressing their faithful adherence to the Catholic Church and the Holy See. In a second declaration they cited the Four Gallican Articles of 1682, which they solemnly reaffirmed as the true doctrine of Catholic antiquity. They addressed a letter to the Pope, entreating him to support the beneficent intentions of the Government, and to employ all his authority in restoring peace to the Church of France. They proposed a series of conferences at Notre Dame between themselves and their dissentient brethren, for the purpose of giving mutual explanations and promoting the cause of reunion. Neither the Holy Father, however, nor the orthodox clergy, responded to their communications. Consalvi was of course fully aware of these pro-

ceedings; but he was too skilful a diplomatist to notice them. He carefully ignored the existence of the Council, though at the same time he could not but feel the peculiar force of that fact in the existing posture of affairs, and groaned under the difficulties which it added to his task.

Bonaparte having requested to be informed in detail of the motives which had led the Pope to reject the Concordat in the form presented at Rome by M. Cacault, the Cardinal's first step was to draw up a memorial developing the views of the Curia as to the various demands which it contained. These were substantially identical with the arguments already urged by Archbishop Spina; in addition to which, Consalvi observed that the arrangement desired by France was by no means equally favourable to the two contracting parties. The Pope, while making many and extensive concessions, was to gain nothing in return except the single point of the re-establishment of Catholicism in France, unaccompanied by the prerogatives which he had enjoyed in ancient times, and which he still possessed in all other Catholic countries. This being so, although the Holy Father, for the sake of so vast an advantage, might be willing to sacrifice much in the way of personal power and pre-eminence, it was impossible for him to yield anything in the nature of religious principle; on that point he was bound to be inflexible, and never to permit error or false maxims to be substituted for truth and for the unchangeable laws of the Church.

This document found no favour with the Consular government. Talleyrand wrote with his own hand on the margin of the first page, "The memorial of Cardinal Consalvi causes the negotiation to retrograde much further than all the papers which have preceded it." A new scheme (the *seventh*) was now produced, which the Cardinal felt himself unable to subscribe; but a counter-memorial, which he composed the same night, was pronounced by the

Abbé Bernier reasonable and admissible. He submitted it to Talleyrand, who expressed himself satisfied with it; and a report forthwith spread throughout Paris that the affair was in the way to be successfully concluded. "What gives credit to the rumour," says Consalvi, "is the fact that the Minister for Foreign Affairs took his departure yesterday for the mineral baths; which he had declared positively that he would not do till after the conclusion of the treaty." *

It was now the 2nd of July, and the conferences had already lasted nine days, instead of the five to which Bonaparte had so rigidly restricted them. Contrary to the Cardinal's expectations, his last effort proved fruitless; the party of obstruction and disaffection having once more gained the ascendant in official quarters. The First Consul continued to treat him personally with great consideration, and granted him friendly interviews in private, in which he discussed the contested articles with every appearance of cordiality, though with unaltered firmness. He objected to the stipulation that the Government should make public profession of adherence to the Catholic Church. Such a demand, he said, was inconsistent with the present Constitution; and with regard to himself and the two other Consuls, the Pope ought to take for granted their attachment to Catholicism. They had never fallen into heresy or unbelief, they had been Catholics all their lives; such a profession of faith ought no more to be exacted from them than from the King of Spain or any other Catholic sovereign. He showed himself equally resolute as to the article guaranteeing the public exercise of Catholic worship, which the Pope was disposed to treat as tantamount to the establishment of Catholicism as the national religion. This would have been to exclude and repudiate, *pro tanto*, all other forms of Christianity—a step totally opposed to

* Theiner, *Les deux Concordats*, tom. i. p. 187.

Bonaparte's policy; "for you know," said he, alluding laughingly to the Constitutional synod then in session, "when one cannot procure terms of accommodation with God, one must come to an understanding with the devil."

The Cardinal did not omit to employ all his powers of persuasion in order to overcome what was justly regarded at Rome as the greatest difficulty of the whole transaction, namely, the enforced resignation of their sees by the orthodox episcopate. That measure had indeed been accepted already by the Pope and the Sacred College, though with unspeakable repugnance, before Consalvi quitted Rome;* but, knowing how much anguish it had cost, he spared no pains to obtain, even at the last moment, its abandonment. For this purpose he resorted to an argument somewhat novel in the mouth of one representing the Roman Curia; he appealed to the famous "Gallican liberties," which would be impugned and violated by such a proceeding to an extent of which no precedent was to be found in history. To insist that the Pope should depose, by an act of his own autocratic supremacy, eighty or ninety French bishops at one stroke, in case they should demur to a demand of voluntary retirement; should depose them without trial or sentence, and put others in their places; this was assuredly to assign to the Pope such an amount of authority over the diocesan sees of France as would suffice to level with the ground that much vaunted colossus of Gallican independence.† Had the Holy Father desired an opportunity of exhibiting boundless jurisdiction, he would have seized it at once, now that it was so freely offered; but, on the contrary, his just consideration

* Pius VII. exclaimed on this occasion, "We are ready to go as far as the very gates of hell; but we intend to stop short there."

† Gallican divines admit, however, that in circumstances of grave peril or urgent necessity the Pope possesses an almost unlimited authority. In such cases he is empowered to suspend the canons, and to take whatever measures his wisdom may suggest, "ne quid Respublica detrimenti caperet." See Bossuet, *Defens. Cleri Gallic.* p. iii. lib. xi. cap. xx. Also Fleury, *Discours sur les lib. de l'Egl. Gallicane*, p. 138.

for prelates who had deserved so well of the Church by their firmness at the crisis of the Revolution, made him refuse and reject it.*

The First Consul, however, was immovable. All that Consalvi could obtain was that the Pope should be at liberty to draw up, at his own pleasure and in his own language, the brief by which the bishops were to be summoned to make this unparalleled sacrifice.

At length, after further tedious delays, and manifold concessions on the part of the Cardinal and his associates in the way of textual alteration and the suppression of unpalatable phrases, the terms of the Concordat were settled, and the treaty, ready for signature, was transmitted to Bonaparte on the 12th of July at Malmaison. It was in substance the same document which Cacault had presented at Rome on the 29th of May, and which had been rendered inadmissible at Paris by the changes made in it by the commission of Cardinals. On the 13th the First Consul announced that he accepted all the articles which had been so long in debate; and the following paragraph was inserted by his orders in the "Moniteur" of that day:—"Cardinal Consalvi has succeeded in the negotiation with the government which had been entrusted to him by the Holy See." The plenipotentiaries on both sides (Consalvi, Spina, and Caselli, as representatives of the Pope; Joseph Bonaparte, Bernier, and the Councillor of State Crétet on the part of the French Government) were to meet at Joseph's hotel on the 14th to sign the treaty; and the event was to be solemnly proclaimed at a grand banquet given by the Consuls that evening to celebrate the anniversary of the fall of the Bastille.

But at this juncture an extraordinary attempt was made —an attempt of mysterious origin, which has never been distinctly explained—to ruin the whole enterprise by

* *Mémoires du Cardinal Consalvi*, tom. i. p. 345.

what cannot be otherwise described than as a gross and unprincipled deception. Consalvi had the pen in his hand, and was on the point of affixing his signature to the copy of the treaty presented to him by Bernier, when, on glancing over it, he perceived that the text had been altered; that in fact it was not the same document which had been authorised by the plenipotentiaries and approved by the First Consul, but another, into which the clauses rejected by the Pope had been again introduced, together with some other points which Spina had negatived as inadmissible before the draft was forwarded to Rome. Joseph Bonaparte and Crétet declared themselves quite ignorant of any such transaction; but they were convinced of the fact on comparing the copy which Consalvi had brought with him with that which he was now required to sign. Bernier, being appealed to for an explanation, was compelled to acknowledge that the document now produced differed in some respects from that which had been already agreed to, but pleaded the orders of the First Consul, who had asserted that "one has always the right to make alterations so long as one has not signed," and that, upon further reflection, he did not feel satisfied to conclude the affair without the corrections now insisted on.

Father Theiner, in his work "Les Deux Concordats," endeavours to fasten the blame of this base fraud upon the Constitutionals and their supporters, with whom it was a matter of primary moment to defeat the project of reunion between France and Rome. At their instigation, he states, a violent remonstrance against the Concordat had been presented to Bonaparte on the 13th of July, contesting all its articles in a style so captious and so energetic, that even Consalvi himself, having perused it, declared himself surprised that the First Consul could withstand its force. The treaty was thereupon drawn up in a new form by the Comte Blanc d'Hauterive, an intimate friend of Talleyrand and of Bishop Grégoire, and a devoted partisan of the Constitutionals. It

is hardly necessary to say that it contained stipulations which Rome could never have accepted, while it was to be imposed upon the Cardinal as the identical act which he had already sanctioned in the Pope's name. It is difficult to believe, what Father Theiner maintains undoubtingly, that Bonaparte had no personal share in this discreditable manœuvre. Doubtless he may have been influenced to some extent by the clamorous remonstrances of the Revolutionists and infidels who surrounded him; but it must be borne in mind that the conditions of the surreptitious Concordat were precisely those which he himself had declared to be indispensable; that the Abbé Bernier excused himself by alleging (which he would scarcely have ventured to do had the fact been otherwise), that the changes were made by the orders of his master; and in fine, that the First Consul was not the man to yield to pressure and intimidation in opposition to any deliberately formed purpose of his own will.

To return to the assembled plenipotentiaries. Consalvi, controlling his indignation, declared that nothing should ever induce him to sign the document just placed in his hands, contrary as it was to the express instructions of the Sovereign Pontiff. He added that, if Joseph and his colleagues were unable or unwilling to subscribe the genuine Concordat, the best course would be to close the sitting at once. Upon this Joseph Bonaparte interposed, and earnestly implored the Cardinal not to risk the distressing consequences of a rupture of the negotiation. He drew a pathetic picture of the calamities which must needs ensue, not only for religion but for the State, not only for France but for every country of Europe over which its influence extended. No imaginable expedient, he argued, must be left untried in order to avert so grave a disaster, and not a day should be allowed to pass without discovering some method of accommodation, when they considered the obstinacy and impetuosity of his brother's character, and the passionate extremes to which he would be

driven if the announcement which he had caused to be made in his own journals should after all be falsified by the event. Moved by these weighty considerations, Consalvi at length consented to undertake a renewal of his labours, which involved a repetition of the whole controversy from the beginning, inasmuch as two of the parties present were ignorant of the merits and details of the questions in dispute. The discussion commenced immediately, and lasted without intermission from five in the afternoon of the 13th till near noon of the day following. After nineteen hours of exhausting toil, an understanding was once more effected upon all the articles of the treaty with the exception of *one*, namely that which stipulated the "liberty of the Catholic worship and the publicity of its exercise." Upon that point the government imposed restrictions which, in the opinion of Consalvi, affected its intrinsic substance; a maxim was laid down which, however it might possibly be tolerated in practice, the Holy See could never deliberately sanction as a matter of principle to be embodied in a formal engagement. This article, then, the Cardinal proposed to set aside for the present, until he could communicate with Rome, and receive the final commands of the Holy Father. He offered to sign all the rest of the Concordat with that single omission; and observed that, since it could not be published officially until the ratifications had been exchanged, the delay thus occasioned would be of no great importance. Finding that this was the ultimatum to be obtained in the way of concession, Joseph Bonaparte hurried to the Tuileries to submit what had passed to the First Consul, promising to return within an hour with his reply, which he scarcely expected to be favourable.

He soon reappeared, bearing in his countenance the too evident tokens of his ill-success. The First Consul, on hearing the tidings, had given way to a paroxysm of anger, and had torn the paper into a hundred fragments; but in the

end, yielding to his brother's anxious importunities, he promised to accept all the covenanted articles; declaring, however, that with regard to that which remained under dispute he would not depart by a hair's breadth from his former resolution. Either the Cardinal must endorse it in the precise shape in which it had been last formulated by the Abbé Bernier, or the negotiation must be broken off. The one conclusion or the other must be announced at the grand banquet to be held that evening.

Consalvi had been invited to this entertainment; and his reception by the First Consul on entering the saloon was anything but gratifying. "Well, M. le Cardinal, you wish to break off? So be it. I have no need of Rome. I will act for myself. I can do without the Pope. If Henry VIII., who had not a twentieth part of my power, was able to change the religion of his country and to succeed in his schemes, much more can I do so. In changing the religion of France, I shall change it in the greater part of Europe. Rome will soon discover the losses she has suffered; she will deplore them, but there will be no further remedy. You may take your departure; it is the best thing that remains for you to do. When do you set out?" "After dinner, General," returned the Cardinal in a calm tone. This laconic retort startled the First Consul, who found that he had to deal with one who was at least his equal in self-possession and resolution. Consalvi proceeded to point out that it could not be said with truth that he had desired a rupture, since he had accepted all the articles of the treaty with one single reservation, upon which he felt it necessary to consult the Holy Father himself; "for in ecclesiastical affairs," he added, "one cannot do all that one would do without hesitation in matters of temporal emergency." The First Consul, somewhat mollified, rejoined that he could not leave the transaction incomplete; he would either conclude all or nothing. Consalvi declared that he had no power to negotiate upon

the contested article, unless some modification were made in its present form. Bonaparte protested that this was utterly out of the question, and repeated that under such circumstances he regarded the prospect of an arrangement with Rome as hopeless.

The friendly intervention of the Austrian ambassador, Count Cobentzel, procured at length Bonaparte's consent to a fresh conference to be held the next day, at which the Concordat was to be either definitively accepted or irrevocably rejected. Consalvi's colleagues, Spina and Caselli, were prepared to abandon the controverted article; he himself was inflexibly determined to maintain it. After a debate of twelve hours' duration, the crucial difficulty was happily solved by the addition of a few words on the part of the French ministers, who however could not pledge themselves for the concurrence of their master. Joseph Bonaparte urged that the treaty should be thereupon signed at once, as the most likely means of inducing the First Consul to accept the amendment on the morrow. His advice was followed, and the momentous document was forthwith subscribed by the six plenipotentiaries. It was past midnight when they separated. (15–16 July, 1801.)

The almost invincible scrupulosity displayed by Consalvi in this affair is only to be explained by endeavouring to enter into his view of the real scope and merits of the contested article.

The two points which had always been regarded at Rome as the indispensable conditions of an arrangement were the *liberty* of Catholic worship and the *publicity* of its exercise. While universal toleration had ever been professedly the master-principle of the Revolution, experience had shown that this toleration was to be limited in practical exercise; that it was to apply, in fact, to every religious organisation with the exception of the true Church. The political system of the day was therefore viewed by Catholics with extreme mistrust;

the keenest apprehension was felt lest, in entering into legally defined relations with the State as then constituted, the Church should be robbed of her rightful freedom of action, and become enslaved to an usurped and unlawful authority. It was remembered that more than one attempt made during the Revolution to declare Catholicism the religion of the State had ended in failure; the government having always represented that the fundamental basis of the Constitution—universal equality of rights, persons, and forms of worship—made that step absolutely impracticable. For this reason it was deemed necessary on the part of the Pope that Catholic liberty should be specially stipulated in the Concordat; and further, that there should be a formal guarantee of protection to the Church in the public exercise of its rites, ordinances, and external usages. It was this latter claim that was so strenuously resisted by the ministers of the Republic. It was impossible, they maintained, to grant such a demand without condition or restriction. In certain localities it might be harmless, but in others, where Catholics were in a minority and infidelity was rampant, it might lead to serious troubles and calamities, perhaps to bloodshed and civil war. Some definite restriction, then, was requisite; and it was proposed that the article should be thus expressed—"The Catholic worship shall be publicly exercised, but *in conformity with the regulations of the police.*"

This latter phrase roused almost insurmountable objections in the mind of Consalvi. He looked upon it as a snare by means of which the Church might become practically enthralled by the yoke of lay jurisdiction. He feared that, if the Holy See should accept such a clause, the police, or in other words the government, would be enabled thereby to control the whole ecclesiastical administration at its discretion; while the Church would be deprived, by virtue of its own weak submission, of all right of remonstrance or prospect of redress.

The French ministers maintained, on the other hand, that the government had no such idea or purpose; that the expression in question, "regulations of police," did not signify the general policy of the government, or the authority of the secular arm as opposed to the spiritual, but simply that particular department of the executive power which related to the preservation of the public peace. Public tranquillity, they observed, is no less an object to be desired by the Church than by the civil government.

Consalvi rejoined that, if this were the real meaning of the article, it ought to be so stated in express terms. What difficulty could there be in doing so, if by that course all other interpretations were excluded which might prove prejudicial to the liberty of the Church? The insertion of such an explanatory statement would have precisely the effect of removing the scruple which had caused him so much painful hesitation; for "inclusio unius est exclusio alterius." These reasonings, urged with all the Cardinal's consummate tact, earnestness, and tenacity of purpose, were at last successful; and the article which had so long retarded the desired conclusion was worded by mutual consent as follows:—"The Catholic worship shall be public, but in conformity with such police regulations *as the government may judge necessary to the maintenance of the public peace.*"

Joseph Bonaparte informed Consalvi the next morning that the First Consul had at first been extremely irritated by the change in the text of the article, and had absolutely refused to adopt it; but after much meditation and a lengthened pause, which was sufficiently explained, says the Cardinal, "by the course of subsequent events,"* he accepted the treaty, and desired his brother to intimate to the Papal commissioners that he was satisfied.

Such was the issue of this difficult, laborious, and most

* Referring to the *Articles Organiques*.

memorable undertaking. In estimating its merits, we must consider not so much what might have been abstractedly desirable from the ecclesiastical point of view, as the solid value of what was actually obtained, when taken in connection with the circumstances of the time, and especially as regards the torrent of infidelity and atheism which for so many years had desolated France. On looking back upon the bloodthirsty persecutions of the Terreur, or even upon the cold cynical heathenism of the Directory, it cannot be denied that the act of reunion just described implied a change of immense and marvellous import. In strange contrast with the days when the hierarchy was proscribed and exiled, when the Sacraments were ministered by stealth in garrets, forests, and caverns, when the civil power took every opportunity of manifesting its profound hatred and contempt for Christianity and its ordinances, it was now proclaimed by the supreme authority that "the Catholic, Apostolic, Roman religion was that of the great majority of French citizens," and that "its worship should be freely and publicly exercised under the protection of the law." The simple announcement of that fact sufficed to diffuse a thrill of satisfaction and mutual congratulation throughout France. For years past the nation had been in a false position; the minority had tyrannised over the majority; the true friends of the Church had shrunk into silence and obscurity before the hurricane of infidel Terrorism. Ever since the professed establishment of religious liberty under the Directory, the state of things, as we have seen, had been confused, inconsistent, and anomalous to the last degree. The law was administered differently in different localities; contradictory decrees were published; one magistrate favoured the "Constitutional" intruder; a second supported his "refractory" but orthodox rival; in a third parish, under pretence of carrying out the principle of impartiality, the people were abandoned to a system of utter indifference, and were

governed in reality by the reckless enemies of all religion. These vexatious caprices were at once rectified by the great act of policy now accomplished. The Concordat dealt a mortal blow to the Constitutional Schism. In the first instance the religious troubles had arisen from the rash attempt of the Constituent Assembly to create a National Church in virtual isolation from the Chair of St. Peter; they ceased as soon as it was known that France was reconciled with the Holy See, so that ecclesiastical liberty was re-established. The ordinary Catholic mind was thereupon persuaded that all was as it ought to be, and universal contentment was the result. The contemporary reports from provincial magistrates attest the fact with remarkable unanimity. "It is extremely desirable," says one, "that a decision by the Pope should put an end to all divisions as to religious opinion; that is the one sole method of securing morality and integrity." "The prospect of religious organisation," writes another, "has done much good in my department, and ever since that moment tranquillity has been restored to us in that respect." "All good citizens, all respectable fathers of families, are sighing for this restoration; the peace thereby produced in the public conscience will set the seal to that general peace which the government has just granted to the anxious desires of France." "The inhabitants of this department have drawn the most gratifying conclusions from certain expressions in the report made by government to the Legislative body; since then we observe that the minds of the people are tranquillised, and ecclesiastics of different opinions have become more tolerant in their dealings with each other." *

No sooner was the Concordat signed, and ratified by the Pope, than it was intimated to Bishop Lecoz, president of

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* Extracted from the celebrated Report of the Senator Portalis on the *Organisation des Cultes*, 15 Germinal, an X. *Discours, Rapports, &c.* p. 37.

the "National" Council still sitting at Paris, that the government would see with satisfaction a prompt termination of its labours. The demand was assented to with good grace, and the session was brought to a close on the 16th of August. The following decree was passed on the occasion. "The National Council, considering (1) That the pacification of the Gallican Church was the principal object of its convocation and of the holding of the present session. (2) That since that object appears to be attained by the negotiation just terminated between our Holy Father Pope Pius VII. and the French government, it becomes superfluous for the Council to deliberate further with regard to it. (3) That the labours of the Council during this session, important as they are, may be continued with more utility after the pacification of the Church. (4) That the letter addressed at the commencement of the session to our Holy Father the Pope, and that to our separated brethren, sufficiently express the determination of its members, and of the clergy whom it represents, to maintain the principles which have constantly directed it, and to make every sacrifice to the cause of peace, consistently with justice and truth;—declares the present session terminated by this sitting of the 16th of August of this year, in the Metropolitical Church of Paris." *

Bishop Grégoire, however, although he must have been well aware at the time that the Constitutional Church, as a distinctly organised public body, was on the point of being finally extinguished, thought proper to suggest to the expiring Council that its committees should continue to prosecute their labours in their various departments, so as to be able to make their reports to the next Council, to the celebration of which he confidently looked forward. He "doubted not that the periodical return of those august assemblies, commanded as they were by the canons, would be favoured by a

* *Annales de la Religion*, tom. xiii. p. 371.

government which had shown itself so anxious to protect religion, as the most effectual means of preserving its purity, of preventing any aggression against the precious liberties of the Gallican Church, of encouraging the clergy in the observance of canonical discipline, and the faithful in affectionate devotedness to all their duties, civil and religious." *

The First Consul had several times invited Grégoire to visit him at Malmaison; and had consulted him as to the views of his co-religionists, and as to the general conduct of ecclesiastical affairs. Grégoire expressed himself strongly opposed to the Concordat; and for that reason, as well as from his general independence of character, and his obstinate adherence to Republican principles, he was excluded from the episcopate created under the new arrangement. He had fully expected that the Constitutionals would be maintained in possession of their sees and other pastoral charges, with the addition of a contingent from the opposite denomination. But the Government had ascertained that such a solution would not be generally acceptable to the country, even if it could have been sanctioned by the Holy See. The First Consul insisted, in opposition to the earnest advice of his most trusted counsellors, that a certain number of the colleagues of Grégoire should be nominated to high office in the reorganised Church; but more than this was found to be out of the question. The policy of fusion and amalgamation, in the proportion determined by authority, proved successful by degrees in securing substantial peace among Catholics of all classes; and the "Constitution civile du clergé," identified as it was with all the most humiliating memories of the Revolution, ceased to command any amount of interest or consideration in the practical working of the Church.

* *Annales*, tom. xiii. p. 355.

CHAPTER XI.

THE Concordat was signed, as we have said, on the night of the 15th of July, 1801; but a series of obstacles, some of which might have been easily foreseen, retarded its execution during several months. The first, and the most perplexing, question that arose was that of the selection of pastors for the sixty sees about to be formed. The First Consul called the attention of Consalvi to this topic at an audience on the 20th of July; when he remarked, as if referring casually to a matter of slight importance, "I feel some embarrassment about the nomination of the new bishops, since I shall have to choose them from the two parties of Constitutionals and non-Constitutionals." The Cardinal was astonished beyond measure. He replied that the Consul was of course aware that the Constitutionals were not in communion with the Holy See; that the Concordat had been made for the express purpose of putting an end to the schism which had so long afflicted France; and that, the Constitution Civile having been condemned by the Pope, its adherents could neither be named nor admitted as members of the new hierarchy to be sanctioned by his Holiness. Bonaparte rejoined coldly that reasons of state forbade him to set aside the Constitutionals, since they formed a numerous and powerful party, and it was absolutely necessary that some of them should be chosen; but he would take care that they should previously accept the Concordat, which would be tantamount to a disavowal

of the Constitution Civile. The Cardinal explained that this would not suffice, since the Concordat made no mention of them whatever. "What must they do then," demanded the First Consul, "in order to reconcile themselves with the Church?" "They must confess and retract their errors, and declare that they accept the decrees of the Holy See relating to the affairs of France, that is, the briefs condemning the Constitution Civile, and the unlawful ordinations which took place under its sanction." Bonaparte observed that the idea of retractation was utterly inadmissible. If they retracted, they would lose their honour, and he himself, resolved as he was to include them in the new establishment, would be the first to despise them. Such things could not be practised under the present circumstances of France. Some means must be devised to enable them to return, without retractation, to the fold of the Church, from which, indeed, he himself could not admit that they had ever departed. No arguments that the Cardinal advanced upon this point made the least impression; he was told that the admission of the Constitutionals must positively be arranged, and was referred for that purpose to Joseph Bonaparte.* Fresh discussion ensued. Joseph stated that if he had not understood that the "intrusives" were to be fully comprehended under the Concordat, he would never have signed it. The principal ministers had declared themselves on their side; the First Consul supported them in this business with the full weight of his authority; and they were joined by the whole party of the

* The First Consul sent on the same day the following directions to his brother Joseph: "Il me paraît nécessaire que vous vous entendiez bien avec le Cardinal Consalvi pour tout ce qui est relatif aux évêques constitutionnels, puisqu'il me semble que le Cardinal Consalvi croit que le Pape n'est pas tenu par le Concordat d'adresser un Bref aux évêques constitutionnels comme aux non-constitutionnels, pour qu'ils se démettent de leurs siéges; et qu'au contraire ce Cardinal croit indispensable qu'avant même que ces évêques puissent être nommés à des évêchés ils se rétractent, chose qu'on ne peut pas exiger d'eux sans les déshonorer, et sans compromettre l'autorité temporelle qui les a toujours appuyés, surtout lors de l'Assemblée Constituante. Cet objet me paraît très essentiel à régler." "Bonaparte."—*Correspondance de Napoléon* I^er^, tom. vii. p. 252.

Jacobins, who, adverse as they were to any friendly transaction between France and Rome, seized this opportunity of obstructing it. It was felt that the Constitutionals had sacrificed themselves for the cause of the Republic, and that for this reason it was impossible to abandon them.

The French Government persisted in demanding that the schismatic bishops, as soon as they had formally accepted the Concordat, should be considered, on the strength of that act, reconciled to the Church, and consequently eligible to the new episcopate. Consalvi, hard pressed, maintained that the very utmost they had any right to expect was that the retractation should be softened as far as possible in terms, but that the substance must be retained, at any rate so as to include the acceptance of the Papal decrees against the Constitution Civile. This was stubbornly contested, and it was even claimed that the Pope should address himself directly to the intruders, as he had agreed to do to the legitimate prelates, requiring them to resign their appointments. The Cardinal pointed out the wide distinction between the two classes, and the impossibility of treating both on the same footing, inasmuch as the Constitutionals held their sees not in virtue of any canonical right, but simply by usurpation. The dispute grew vehement, and even threatening. In order to avoid open rupture, Consalvi at last proposed to refer the matter to the decision of the Holy Father, promising on his own part to employ all his influence to obtain for the party in question the most lenient terms possible consistently with the laws of the Church.* Having thus succeeded, not less by the exercise of never-failing self-command, moderation, and forbearance, than by his eminent intellectual endowments, in effecting all the essential objects of his mission, Cardinal Consalvi quitted Paris on the night of the 25th of July, and arrived

* *Les deux Concordats*, tom. i. pp. 243–46.

at Rome on the 7th of August, having been absent exactly two months.

The next event in the history of the Concordat is its ratification by the Pope. This was impatiently demanded by Bonaparte, and every effort was made to give him satisfaction. Consalvi laboured zealously to abridge the formalities of the Curia; but it was necessary that the treaty should be submitted to the College of Cardinals, and that they should have sufficient time to examine it before giving their votes. Considerable opposition was made to the article which had been so keenly and persistently debated at Paris—that which restricted the publicity of the Catholic worship by subjecting it to the *regulations of the police*; but the majority were for retaining it as it stood, and they were supported by the Pope, not as approving the clause, but on the ground that further resistance was hopeless. Such was the expedition used in the affair, that the official ratification arrived at Paris within thirty-five days after the Concordat had been signed.* It was drawn up in the form of a solemn Bull or Encyclical, beginning with the words "Ecclesia Christi." The Holy Father, after adverting to the essential unity of the Catholic Church as ordained by its Divine Founder and defined in Holy Scripture, recounted the various steps which he had taken to heal the lamentable schism which had so long agitated and disordered the National Church of France. He expressed his firm conviction that the bishops would be ready to make any and every sacrifice, not excepting even that of the resignation of their sees, to the paramount interests of the Church. Their successors were to be nominated within three months by the First Consul, and were thereupon to be canonically instituted by the Pope, according to the forms which were in use in France before the change of government. The newly appointed prelates were

A.D. 1801. Aug. 15.

* *Mémoires du Cardinal Consalvi*, tom. i. p. 402.

to take an oath of fidelity in the following terms—the same, *mutatis mutandis*, that were in force under the ancient Constitution. "I swear and promise to God upon the holy gospels, to pay obedience and fidelity to the government established by the constitution of the French Republic. I also promise to hold no correspondence, to be present at no council, and to encourage no confederacy, either external or internal, inconsistent with public tranquillity; and if I should hear of any plot either in my diocese or elsewhere, prejudicial to the State, I will make it known to the government." The Bull recites further that the bishops will be empowered to appoint a Chapter attached to their cathedrals, and a seminary for each diocese, but that the government does not bind itself to endow them. It declares that no actual proprietor of confiscated ecclesiastical estates shall be disturbed by the Pope or his successors; the French government, however, would take measures for enabling the faithful to form new endowments in favour of the Church. Finally, the Pope intimates, with regard to those ecclesiastics who may have contracted marriage, or publicly abandoned their profession, that their case shall be considered in all charity, and dealt with to the furtherance of their spiritual welfare.

The brief "Tam multa ac tam præclara," dated the same day, was addressed to the archbishops and bishops of France in communion with the Apostolic See.* After commending them for the eminent services they had already rendered to the Church, the Pope announced that still more meritorious deeds were demanded of them by the exigencies of the time. A new proof of virtue and magnanimity was necessary for the preservation of the unity of the Church and the restoration of the Catholic religion in France. They must voluntarily resign their episcopal sees into his hands.

* "Communionem et gratiam Sedis Apostolicæ habentibus."

It was a great but an indispensable sacrifice; the more bitterly they felt it, the more acceptable would it be to God, the greater its merit, the more ample its recompense. He besought and conjured them to submit to it cheerfully. He reminded them of various examples of similar self-abnegation recorded in the annals of the Church, especially that of the three hundred Carthaginian bishops in the time of St. Augustine, and of their own offer made to his predecessor in their letter of the 3rd of May, 1791. Such, said the Pontiff, was the urgent pressure of existing circumstances, that he was compelled, against his will, to require their absolute compliance within the space of ten days. If he should not receive their written replies in the specified form within that time, he would be forced to regard them as refusing to obey him. He declared that he had made every possible endeavour to spare them this distressing infliction, but wholly without success. He concluded with reiterated exhortations to obedience; promising that no effort should be wanting on his part to provide for their future welfare.

Pius VII. had proposed to make a direct communication to the Constitutional bishops for the same purpose; but it was objected that this might have the effect of emboldening them in their pretensions and hindering their submission; and the brief "Post multos labores" was consequently addressed to Archbishop Spina, charging him to exhort those prelates to return without delay to Catholic unity, and promptly to renounce the sees which they had occupied without the institution of the Apostolic See. This unceremonious mode of treatment would probably not have been adopted had it not been manifest that the cause of the Constitutionals was desperate, and that resistance to the will of the Pope, backed as it was by the civil authority, was altogether useless. Refractory symptoms were exhibited, nevertheless, in certain quarters. Moyse, bishop of the Jura, declared in the so-called "National Council" that, if

the Pope should demand their resignation, they would reply that he had no right to do so, and that their sees were more canonically filled than that of St. Peter. The Papal Bull would not be received, he said, unless it acknowledged the Constitutional Church to be legitimate; if it insinuated the slightest doubt upon that point, it would be denounced as criminal. Accordingly, the brief "Post multos labores" met with little or no respect from those whom it chiefly concerned.* They denied its authenticity; they pronounced it null and void; some of them sent it back to Archbishop Spina; others refused to acknowledge its reception.† Eventually, however, they all submitted. By way of protest against the peremptory demands of Rome, they addressed their acts of resignation not to the Pope, but to the metropolitans by whom they had been instituted, and to the officials of the civil government. Bishop Grégoire published on this occasion his letter to the metropolitan bishop of Bourges, in the course of which he states that, "notwithstanding any act which had proceeded, or might afterwards proceed, from any quarter whatever, he persisted unchangeably in the principles which he had always professed and confirmed by oath or promise; namely, that of fidelity to the Republic in his character of a French citizen, and, as a bishop, that of attachment to the liberties of the Gallican Church, which constitute the imprescriptible common law of the whole Christian society."‡

Pius VII., at the special request of Bonaparte, now proceeded to appoint Cardinal Caprara, bishop of Jesi in the March of Ancona, his legate *de latere* for the purpose of

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* "Bientôt après, il m'adressa (Spina), ainsi qu'à tous les évêques constitutionnels, de la part du Pape une circulaire pour demander nos démissions. Il était facile de faire cette demande d'une manière honnête! Par quelle fatalité le langage de l'insolence et de l'imposture remplaça-t-il celui de la charité? Ma réponse fut vigoureuse, et je m'en félicite; le public peut la juger, elle a vu le jour."—*Mémoires de Grégoire*, tom. ii. p. 97.

† *Annales de la Religion*, tom. xiii. p. 528.

‡ *Ibid.* tom. xiii. p. 558.

superintending the practical execution of the Concordat. Caprara was a man of advanced age and feeble health, but possessed of great intelligence and capacity, and inclined to liberal opinions, which had procured for him in Italy the sobriquet of "the Jacobin Cardinal." The ambassador Cacault describes him thus in a despatch to Talleyrand: "Cardinal Caprara has an enlightened mind. He is a most suitable person for the office of legate *à latere*; well qualified for the task of uprooting the last germs of those ecclesiastical divisions which have distracted France ever since the days of Jansenism. He is cold and indifferent about theological disputes, and detests the fanatical spirit which fosters them. He will lend himself to everything which the First Consul may desire; but at the same time he will maintain unimpaired the consideration which is due to the Pope." *

Caprara reached Paris on the 4th of October, and on the next day but one was received by Bonaparte in a private audience. The First Consul, assuming an air of perfect frankness and candour, at once entered upon the vexed question of the Constitutional bishops, and repeated what he had said to Consalvi: that they formed a party of considerable credit with the public, and were striving to identify their cause with that of the nation; that he was besieged and tormented with their demands; that there was no end to the complaints which they were making against the Pope's brief, just communicated to them by Monseigneur Spina. He felt himself, therefore, under the painful necessity of naming one third of the new episcopate from the ranks of the Constitutionals; but he would take great care to choose those who were the least compromised, and would insist upon their submitting implicitly to the terms of the Concordat. Upon this subject, however, he begged that the Cardinal would confer with M. Portalis, Councillor of State,

* Quoted by Theiner from the original in the Foreign Archives at Paris.—*Les deux Concordats*, tom. i. p. 274.

and Minister for Ecclesiastical Affairs. He was anxious that the restoration of peace to the Church should be published concurrently with the political pacification then about to be concluded at Amiens; and to this end he urged the Cardinal to grant canonical institution to the newly named Constitutional bishops, so that the whole affair might be terminated by the 18th of Brumaire, the anniversary of his accession to power.

Caprara, prepared as he was to go to the furthest point possible in order to gratify the First Consul, could not abandon thus precipitately what was regarded at Rome as one of the primary conditions of the Concordat. He replied, calmly but firmly, that the Holy Father would treat the Constitutionals with the utmost clemency and indulgent condescension, provided they fulfilled the terms which he had prescribed for their reconciliation; but that he (Bonaparte), deeply interested as he was in restoring religious tranquillity and extinguishing the flames of schism, ought to reflect whether, by elevating such persons to the position of rulers of the Church, he might not revive, instead of appeasing, the dangerous elements of strife. With regard to the institution of such bishops, he observed that it was useless to make the demand, inasmuch as he (Caprara) did not possess the necessary powers for that purpose. Nothing should be wanting, he assured the First Consul, either on the part of the Pope or on his own, to expedite the publication of the treaty; but in concerns of such magnitude difficulties would inevitably arise which required a considerable expenditure of time, study, and labour; in particular, the circumscription of the boundaries of the new dioceses, and the preconisation of the bishops in Consistory, were matters which manifestly did not admit of hasty treatment.

A Consular decree of the 7th of October, 1801 (15 Vendémiaire, an X.) announced that the Government proposed to create a Minister charged with the conduct of all affairs

relating to Religious Worship; and on the 16th of the same month, M. Jean Etienne Portalis, Councillor of State, was appointed to that office. A more judicious choice could scarcely have been made. Portalis was a man of high character, a sincere and zealous Catholic, and one who had proved himself under trying circumstances to be signally free from the narrowness of party spirit, and possessed of true Christian moderation, sympathy, and charity. Having vigorously combated the intolerance and tyranny of the Directory, he had been involved in the proscriptions which followed the *coup d'état* of the 18th Fructidor, and passed two years in exile. Returning to Paris after the 18th of Brumaire, he was speedily distinguished by Bonaparte, who placed him on the commission entrusted with the task of framing the "Code Civil," and named him soon afterwards Councillor of State. Portalis was a staunch Gallican, and appears even to have leaned towards Jansenist opinions; but he had too much practical wisdom, tact, and experience to permit such prepossessions to interfere with the great national interests which were so seriously at stake.

The first topic of discussion mooted between Portalis and Caprara was naturally the same that the First Consul had suggested at the interview just described. The Pope was pledged by the Concordat to extinguish the ancient episcopate; but nothing was there stipulated as to the individuals who were to fill the newly created sees. The treaty was absolutely silent as to the Constitutional Church. For aught that appeared upon its surface, the Pope was warranted in believing that the new prelates would be chosen exclusively from the orthodox clergy, who alone were recognised by the Holy See. It was impossible from the Roman point of view to name to such high stations members of a schismatic sect which had so recently incurred the ban of excommunication, and who had become for that reason objects of suspicion and antipathy to all faithful Catholics.

The new Minister for Ecclesiastical Affairs was of the same mind. His family principles, his early education, his friendships, and his strongest personal predilections, all attached him to the cause of the orthodox hierarchy. He considered that on an occasion of such paramount moment as the public reconciliation of France with the See of St. Peter, it was necessary to repudiate for ever all complicity with the Revolutionary schism, and if possible to efface its memory from the page of history. He soon established friendly and even confidential relations with the Papal Legate; and they combined their endeavours to convince the First Consul of the rectitude and force of their own views. For some time they cherished the hope of ultimate success; and when Portalis received instructions, in pursuance of his official duty, to draw up and submit to Bonaparte the list of the forthcoming episcopate, he ventured to present one in which all the candidates except two were chosen from the ancient clergy. It was rejected at once; the First Consul repeated that he was firmly resolved to place several sees, from ten to fifteen, at the disposal of the Constitutionals.

Portalis was reduced to a dilemma; either he must obey, or he must resign his office. He embraced what, considering all the circumstances, was undoubtedly the wiser alternative. He submitted; and drew up a second list, containing the names of twelve Constitutionals, which satisfied the First Consul, but on the other hand deeply offended the whole Ultramontane party, who upbraided him bitterly for what they deemed a weak, slavish, and culpable abandonment of principle.

The Cardinal-Legate remonstrated against this decision with the utmost energy. "I have repeatedly and clearly notified to the First Consul," he writes in a despatch to Consalvi, "that both in the interest of religion and of sound policy, he must beware of naming persons who may be subject to the slightest suspicion, particularly in the eyes of the

public. What would the world say, attentively as it watches what is being done in France for the establishment of the faith, if it saw that the means employed for that purpose are altogether contrary to the laws of the Church, and condemned by them? The schism, instead of being extinguished, would begin to make head more vigorously than ever; and in that case the joy which the French people have displayed at the conclusion of the Concordat would be quickly changed into disappointment and distress."

. "I have ventured to say plainly that the best way to avoid such evils will be to renounce all idea of nominating any of the intrusives to the new sees. The First Consul would tarnish the glory of his present enterprise if he were to name persons who have never enjoyed the esteem and respect of the people—advantages indispensable for a pastor, who is bound not only to instruct his flock by teaching, but also to edify it by example. I have also pointed out that since the enemies of the Church employed the Constitutionals as instruments for ruining religion in its very foundations, all thoughtful persons will say that the First Consul, if he should appoint intruders, has no sincere intention to restore religion, and that the enemies of the Church are still triumphant; and that so long as that is so, there can be no real enjoyment of that peace and tranquillity which is so ardently desired." *

Finding that his efforts were fruitless, Caprara demanded that at any rate the Constitutional nominees, before they received canonical institution, should satisfy the Holy See by making a distinct retractation of their errors. This they positively declined to do, and were supported in their refusal, as we have seen, by the Government. They were ready to testify their acceptance of the Concordat, which by implication was an abandonment of the Constitution Civile. But

* *Les deux Concordats*, tom. i. p. 376.

the Cardinal persisted in requiring that they should formally submit themselves to the judgments which the Holy See had pronounced on the ecclesiastical affairs of France, and receive absolution from the canonical censures which they had incurred. In this emergency the Abbé Bernier, so well known for the versatility of his diplomatic resources, undertook to negotiate with them and bring them to compliance. To the result of his tactics the reader's attention will be called hereafter.

Week after week passed, and the publication of the Concordat was still delayed. The First Consul could not nominate to the new episcopal sees until he received official information that those sees had been created by the Pope; and the anxiously desired bull announcing the new "circumscription" was not yet forthcoming. The reason was that unforeseen difficulties had arisen with regard to the wholesale resignation which the Pope demanded from the existing episcopate. Many of the bishops had not yet received the letters despatched to them for that purpose from Rome; others had returned dilatory, querulous, or evasive replies; others, again, had plainly intimated that they were unable to comply with the Papal mandate. Moreover, it was hardly to be expected that such an affair could be rapidly concluded. The entire reorganisation of a great National Church, after a period of unexampled havoc and confusion, required time, patience, and deliberation; and there was no ground whatever for the malicious insinuation propagated at this moment by the Constitutionals, that the Curia, true to its traditional policy, was procrastinating in the hope of finding means eventually to escape from its engagement altogether.

Those of the original bishops who resided in France, fifteen in number, promptly obeyed the brief "Tam multa," and placed their resignations in the Pope's hands. The Abbé Emery, to whom they looked up as to an almost

infallible oracle, recommended that course as the best that could be taken under the circumstances. "To say the truth,' he writes to the bishop of Alais on the 20th of September, "the measure is a very violent one; there is no example of anything like it; nevertheless my opinion is that nothing better can be done than to submit to the demand of the Holy See." * The first to respond to the summons was De Belloy bishop of Marseilles, a venerable prelate upwards of ninety years of age, who was shortly afterwards preferred to the archbishopric of Paris, and received a Cardinal's hat. "To know that his Holiness considers my resignation necessary to the preservation of religion in France"—thus he wrote to Archbishop Spina on the 21st of September—"is quite sufficient to determine me to immediate compliance." Similar declarations followed from the bishops of Senlis, St. Claude, St. Papoul, Alais, St. Malo, Angers, and Beziers. The prelates who had emigrated to various parts of Spain, Switzerland, and Germany, submitted after a longer or shorter interval. The acts of resignation amounted to forty-seven in all.

But the bishops who were resident in England met the emergency in a very different spirit. They were naturally much under the influence of the banished princes of the House of Bourbon, some of whom were in London at that moment, and made no secret of their vehement opposition to the Concordat and the extreme measures to which it had given rise. The late negotiation between the head of the Catholic Church and the Republican Government represented by Bonaparte was in the eyes of these prelates simply scandalous. They were deeply shocked to see the Pope acknowledging, *pro tanto*, as legitimate a power which they themselves regarded as scarcely better than diabolical, and that in an affair purely religious. Only five of them out of

* *Vie de M. Emery*, tom ii. p. 61.

eighteen consented to resign; the rest, headed by Dillon, archbishop of Narbonne, wrote a collective letter to the Pope, dated the 27th of September, 1801, in which, without absolutely refusing to obey, they entreated him to suspend his decision until they could present to him a fully reasoned statement of their objections to the course required, and hinted that no final action ought to be taken under the circumstances without previously consulting a general assembly of the Gallican episcopate. A prelate high in favour at Rome, Monseigneur Charles Erskine, who had been sent to England in the year preceding on the occasion of the election of Pius VII., was now commissioned to remonstrate with the malcontents, and if possible to overcome their opposition. He laboured, however, in vain. On the 5th of February, 1802, the Archbishop of Narbonne and his twelve colleagues transmitted a second letter or memorial to the Pope, the substance of which was as follows. They would fain have conformed to the wishes of the Holy Father, but were precluded from doing so in virtue of the episcopal commission by which the Holy Ghost had appointed them to be rulers of the Church of God. Bishops ought not to act upon the principle of mere blind submission, but upon distinct proof of the advantage which their action is likely to produce. They desired to be satisfied as to the reasons which would justify them in taking the step now demanded, and as to the consequences which would probably follow from it. Instead of which, they were distressed to find that his Holiness had taken no notice of the just observations contained in their first letter, which pointed out the great danger that might be incurred by the whole of Christendom, if the Pope should execute his present purpose. They were ready to resign without hesitation if they could feel certain that the welfare of the Church required it; but this was a perplexing question, inasmuch as they would have to answer to the Supreme Judge for abandoning the churches and flocks

which He had specially committed to their charge. They could not but regard the salvation of the faithful and their own as their highest and most indispensable rule of conduct. They again implored his Holiness not to proceed further without maturely weighing the opinions of the episcopal body, which ought to be convoked in Council for previous deliberation.

Several French prelates residing in Germany addressed the Pope in like manner to intimate their non-compliance. These were, Cardinal Montmorency, bishop of Metz, the archbishop of Reims, the bishops of Limoges, Séez, Aire, Digne, Boulogne, and Auxerre. They urged, as the main ground of their resistance, the uncertainty and anxiety they felt as to the future welfare of the Church of France, in the event of its being suddenly deprived of all its chief pastors. Would not its state be virtually that of extinction? And what could be more contrary to the principles and practice of the Church than to proceed hastily to a new circumscription of dioceses, without consultation with the legitimate episcopate in its collective capacity? Where would be the stability of churches, if, on every occasion of a change of State policy, it were necessary that all the bishops should resign their sees, and that a new demarcation of dioceses should take place? If such a precedent were once established, to what embarrassment and danger would it not expose the Sovereign Pontiffs? For who could foresee what pretensions might be advanced by the holders of temporal authority, or what limits they would set to their demands? For the sake of the tranquillity, the glory, the safety of the Holy See itself, it was a paramount duty to hold fast the doctrine inculcated by Pope Innocent I., that "the vicissitudes of worldly interests ought not to cause any variation in the conduct of the Church of God." *

* *S. Innocent. I. Epist.* 24, *ad Alexandr. Antioch.*

The remonstrances of those who demurred to the Concordat are well summed up in the following letter to the Pope by Dulau d'Allemans, bishop of Grenoble, dated Gratz, November 21, 1801: "It is impossible for me to meet the views with which your Holiness has been pleased to acquaint me in your brief of the 15th of August last, within the short space of time you assign for that purpose, for these reasons: First, I do not perceive clearly and precisely, after reading the said brief, how the resignation of our sees will produce with certainty the re-establishment of religion and of Catholic unity in France. Mere probabilities, when interests so grave are involved as those of the faith and the salvation of souls, are not satisfactory to my conscience. It demands, further, that in a proceeding of that nature there should exist a *certainty* that neither of those objects will be compromised. Now how many contingencies, and those by no means chimerical, present themselves to the mind in the present case, which might bring upon the Gallican Church evils still more terrible than those which have hitherto afflicted it! Secondly: having always held as a principle, conformably with the ancient usages of the clergy of France, that no one of its members ought to isolate himself from the body corporate when a determination is about to be taken in an important affair of common interest, how can I, without openly violating that rule, give in my resignation separately from my colleagues, in circumstances which are absolutely unexampled in the annals of this great Church?"

To all such arguments there was but one reply, and that reply was decisive and irrefutable. The measures complained of were forced upon the Holy Father by a secular power which it was impossible for him to withstand, unless he chose to forego the infinite advantage of the restoration of Catholicism in France. The plea of necessity was paramount to all others. It was no question of the constitutional laws, the prescriptive usages, the immemorial privileges of the

Church; the question was whether, within one of the noblest provinces of Christendom, the Church should exist *at all* in union with the See of St. Peter—the form which all orthodox Catholics believed to be essential to its welfare. The maladies of the Church of France were incurable by ordinary means; and inasmuch as it is admitted even by Gallican divines that, in cases of extremity, the authority of the Roman Pontiff is superior to the canons and to all established rules of discipline, it can hardly be denied that the present procedure was upon that ground justifiable. Upon such considerations the archbishop of Bordeaux, Mgr. de Cicè (formerly keeper of the seals under Louis XVI.), defended his conduct in a pastoral letter to his diocese, dated London, October 8, 1801. "We well know," he writes, "that in the course of the late negotiation the Holy Father exhibited immovable firmness when attempts were made to compromise the imprescriptible rights of religion. Did we not see with dismay the suspension of that negotiation for a time, and afterwards its resumption through the wise persistence of the Holy Father, crowned as it was ultimately with happy success, since religion obtained all that she had a right to demand?" The prelate proceeds to show that the state of the Church was so deplorable as to defy all but extraordinary remedies. It had suffered for ten years from a corroding schism; the nation was divided between the legitimate pastors and the intruders; the evil had become chronic, and was day by day more difficult to redress. To make matters worse, a new schism was beginning to show itself among the faithful with respect to the "promise of fidelity" exacted by the Government; a schism more lamentable than the former, which wounded the very heart of the Church by separating the faithful clergy into two parties, and paralysing the activity of those who could not with a safe conscience recognise the Republican authorities. Under such circumstances it was impossible to resist the measures which the

Pope had taken, in concert with the civil government, as offering the sole prospect of a lasting reconciliation. The only way to escape from existing perplexities was to obey the voice of the Sovereign Pontiff, the Vicar of Jesus Christ, who best knew the real state of affairs, and was not afraid to take upon himself the heavy responsibility of the course which he enjoined. To do otherwise would be an act of presumptuous revolt against authority, which would be wholly without excuse in the sight of God or man.*

The official documents at length arrived from Rome, in virtue of which the new ecclesiastical establishment created by the Concordat was to be substituted for the ancient historical Church of France. By the bull "Qui Christi Domini vices," dated November 29, 1801, Pius VII. "suppressed, annulled, and for ever extinguished" all the French sees then existing, with their chapters, rights, privileges, and prerogatives of whatever kind; deprived the prelates of all canonical jurisdiction, and founded in their stead ten metropolitical and fifty suffragan sees, with a newly arranged territorial circumscription. Annexed to it was the brief "Quoniam favente Deo," by which the Pope empowered the Cardinal-Legate to grant canonical institution to the hierarchy about to be appointed. Bonaparte, assisted by his ministers Portalis and Bernier, now entered at once upon the laborious task of the organisation of the new dioceses throughout France, which occupied the entire winter of 1801–2. The First Consul directed it in person with his usual energy, examining and controlling everything down to the minutest details.

Next followed the nomination of the new episcopate—an affair of no small gravity, inasmuch as it involved the act of fusion between the hitherto schismatic "Constitutionals" and the orthodox pastors who had never submitted to the

* Theiner, *Les deux Concordats*, tom. i. p. 356 *et seq.*

Revolutionary *régime*. Bonaparte steadfastly carried out his declared purpose; he named two archbishops and ten bishops belonging to the Constitutionals. The archbishops were Le Coz, who became archbishop of Besançon, and Primat, who was raised to the see of Toulouse. The bishops were Beaulieu appointed to Soissons, Balmas to Cambrai, Charrier de la Roche to Versailles, Saurine to Strasburg, Raymond to Dijon, Bécherel to Valence, Perrier to Avignon, Lacombe to Angoulême, Montault to Angers, and Berdolet to Aix-la-Chapelle. Two of these, Charrier de la Roche and Montault, had already made their submission to the Holy See, and had received absolution; but the rest were contumacious, and demanded institution upon the strength of a mere declaration of adherence to the Concordat.* Caprara declined to grant it except upon the terms prescribed by the Pope; and presented a form which he required each of them to sign separately, expressing in general terms their submission to the judgments pronounced by the Holy See in the ecclesiastical concerns of France. These letters were not designed to be published, but simply to remain on record among the official documents on the institution of a bishop. The candidates, however, refused to acquiesce. They offered to substitute for it a form in their own language, which they conceived would satisfy his Holiness; but the legate replied that he could not possibly admit the slightest variation from the draft transmitted from Rome, and the interview terminated without further result.

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* Caprara had cherished up to the last moment a strong hope that none of the Constitutionals would be chosen. He wrote in February to Cardinal Consalvi: "Le choix ne se porte sur aucun intrus. J'aurais le droit d'être tranquille à cet égard, si dans les négociations dont j'ai été chargé je n'avais éprouvé des variations alors même qu'elles paraissaient de toute impossibilité. Je supplie sa Sainteté de me pardonner ce langage fâcheux. Mais si je fais tout au monde pour qu'on demeure ferme dans ce qui est juste, d'un autre côté il y a des gens bien puissants qui mettent tout en mouvement. Je n'en répète moins qu'avec l'aide de Dieu, j'espère encore l'emporter."—De Haussonville, *L'Église Romaine et le premier Empire*, tom. i. p. 457, *Pièces justificatives*.

Portalis and Bernier saw with dismay that the whole transaction was once more on the verge of failure; for it was now the beginning of Holy Week, and the First Consul had announced that if the new bishops were not consecrated and instituted in due form before Easter, the publication of the Concordat, which had been fixed for that day, would be postponed indefinitely. They exerted themselves to arrange a compromise, and at length persuaded the bishops nominate to adopt a paper containing a distinct renunciation of the Constitution Civile, and a pledge of constant obedience to the Sovereign Pontiff and his successors. They made no retractation, however, of their alleged errors; in respect of doctrine and opinion they remained unchanged. The two ministers earnestly entreated the Legate to rest content with this engagement; to refuse it, they said, would be simply to ruin the whole undertaking—the First Consul would never permit his nominees to accept any other terms of compliance. But Caprara was obdurate. "The affair had gone too far: nothing further in the way of indulgence could be expected from the Pope; for the question was no longer one of discipline, it bordered upon doctrine." * After much further discussion he was prevailed upon to take the opinion of all the members of the legation as to the final course to be pursued. Would the Legate be justified, under such circumstances, in dispensing with the precise wording of the Papal mandate, provided its substance were preserved? Would it be sufficient to accept the letter of submission as drawn up by the Constitutionals themselves with the approbation of the Government, if he required from them, in addition, a private and verbal abjuration of their "errors" in the presence of two witnesses? This was in the end agreed upon as a permissible expedient; and Bernier, who was now advanced to the see of Orleans, undertook once more to be the medium of communi-

* De Haussonville, *L'Église Romaine et le premier Empire*, tom. i. p. 200, 3rd edition.

cation with the bishops designate, and to bring back to the legation a certificate, attested by his signature, that they had one and all satisfied the terms of reconciliation now demanded, and had thereupon received absolution.

It was the evening of Good Friday. One single day, the Saturday before Easter, remained at Bernier's disposal for the execution of his mission; but before night he deposited with Caprara the documentary proof of his success,—an affirmation that each Constitutional prelate had embraced the proposed compromise, and had been absolved, in consequence, from whatever ecclesiastical censures he might have incurred.

The Comte de Haussonville, in common with many other writers, roundly accuses Bernier of deceiving the Cardinal-legate and the Pope by deliberately subscribing a statement which was, and which he must have known to be, untrue. He also more than insinuates that he acted from corrupt motives, and made sordid gain by his duplicity.* Whether the imputation of wilful dishonesty on this occasion is justly laid at the door of Bishop Bernier and his colleague the bishop of Vannes, or whether (as F. Theiner suggests †) it might not be retorted with at least equal probability upon the Constitutionals themselves, is a point upon which it is now impossible to pronounce categorically. The act of submission, upon the strength of which they were declared reconciled to the Holy See, ran as follows: "Most Holy Father, being named by the First Consul to the bishopric of ——, I have nothing more anxiously at heart than to witness the extinction of all those seeds of discord which have been the inevitable consequences of the French Revolution. For that reason, in order that your Holiness may have no doubt whatever as to my sentiments, I declare with perfect sincerity

* De Haussonville, *L'Église Romaine et le premier Empire*, tom. i. p. 205.

† *Les deux Concordats*, tom. i. p. 394.

that I willingly abandon the so-called Civil Constitution of the French clergy; that I accept and will accept, profess and will profess, the arrangements and articles of the Concordat made between your Holiness and the French Government; and that I will pay true obedience to your Holiness and your successors."

Now this phraseology is to some extent equivocal. To "*abandon*" the Constitution Civile did not imply, of absolute necessity, a *retractation of its principles*; the expression might be used, and used honestly, with a different and less extensive meaning. Accordingly this was the line of self-defence taken up by the Constitutionals, when, shortly after the publication of the Concordat, it began to be commonly reported that they had abjured their former doctrinal creed before obtaining canonical absolution. Their apology was put forth with considerable skill and vigour by Dominique Lacombe, bishop of Angoulême, in a letter to Binos, a *ci-devant* canon of St. Bertrand de Commenges, dated June 4, 1802. "You ask me," he writes, "whether Cardinal Caprara demanded of us a retractation of the oath we had taken to the Constitution Civile, and whether I and my brother bishops made such retractation. I answer Yes, and I answer No. It is quite true that the legate demanded of us a retractation; but it is also true that he did not obtain it. The bishop of Bordeaux, whom you know to be firm and immovable as the rock of Montrejeau, his native town, said, M. le Cardinal, you propose that we should declare to his Holiness that we repent of what we did in conformity with the Civil Constitution of the Clergy; never, never will we consent to make that declaration. M. le Cardinal, I added, if I cannot take possession of the see of Angoulême except by adopting the letter which you have given us to sign, far be from me the see of Angoulême, far be from me any institution at your hands, and far be from me your letter, which I now return to you." The bishop goes on to state

that when he found in the letter afterwards indited by Bernier the phrase, "I willingly abandon the Civil Constitution of the Clergy," he opposed it to the utmost of his power, and insisted on its being suppressed; first, because it was superfluous, since the very next clause declared their acceptance of the Concordat, which abrogated the Constitution Civile; and secondly, because it would encourage their opponents to maintain that, after all, the Constitutionals had been constrained to sign a retractation. "In finally consenting to the phrase," continues Lacombe, "I stated that I abandoned the Civil Constitution solely *because it was rendered impracticable by a subsequent law*; that I should always continue to respect and love its principles; that, far from considering myself blamable for having conformed to it, I regarded the acts which I had performed in consequence as the best of my life, and the most worthy of an eternal recompense."

"You will be told, perhaps, that the Legate gave us absolution; that the proof of that fact is to be seen in the registers of the legation; that copies have been exhibited of the *decretum absolutionis* as having been humbly solicited by us, and charitably granted to many of our members. What reply is to be made to this? Simply that the Legate, in contempt of the ordinary rules for administering the Sacrament of penance, pronounced an absolution which was neither desired nor solicited; that when the form attesting it was sent to some of us by Bishop Bernier, we treated it as it deserved by throwing it into the fire, in the presence of Citizen Portalis, who assured us that he had dealt in the same way with a similar document which the legate had been good enough to send him, to rehabilitate him for having taken part in the French Revolution. I leave it to Bishop Bernier and Citizen Portalis to testify in what terms I expressed my sentiments on that subject in their presence on Good Friday last." *

* *Annales de la Religion*, tom. xv. p. 134 *et seq.*

It must be confessed, on the whole, that sophistry and special pleading was practised to some extent by both parties. The Constitutionals signed a document which, by their own admission, *might* be construed as a retractation of the "errors" of the Constitution Civile, though they did not intend it as such, and in their hearts clung to those errors notwithstanding. Bishop Bernier, on his part, assured the Pope that the new prelates had testified their penitence, and had thereupon been reconciled to the Church in due form, although he well knew that they had acted with an important mental reservation, and that their penitence was no more than a willing acceptance of the new ecclesiastical organisation devised by Bonaparte.

"I cannot think without trembling," writes Caprara to Consalvi, "upon what has occurred. I am persuaded that his Holiness will be greatly distressed by it, and that your Eminence will be dissatisfied with my conduct. But I candidly confess that, rather than witness a renewal of the miseries which France and the French people have suffered, I felt that I should not be justified in conscience in taking any other line of conduct than that which I have followed." "The irreligious party took the First Consul by the throat, and determined to defeat the Concordat."* Bonaparte was resolved that it should be passed, and passed as a law of the State and of the nation; and the adverse party, seeing his firmness, at last submitted to his will, but on the express condition that a fixed number of Constitutionals should figure among the new hierarchy. The First Consul was compelled to accede to this stipulation, and promised that as soon as the Concordat had become a national statute he would make the nominations required, and would cause the prelates named to be duly instituted; adding that, if such

* "Le parti anti-religieux a jugulé le premier Consul."—*Caprara to Consalvi*, 15 Mai, 1802.

institution should be refused, all further negotiation about the Concordat would be out of the question.*

Nevertheless, when the Concordat was at length submitted to the public legislative bodies for their sanction, it encountered no inconsiderable opposition. It was found necessary to resort to forcible measures, and to violate the terms of the Constitution. The Corps Législatif showed its discontent by naming for president the infidel philosopher Dupuis, whose works avowedly reduced the dogmas of religion of whatever kind to mere materialistic formulas. The same assembly proposed the Republican bishop Grégoire for a vacant place in the Senate, to which he was immediately raised by a large majority; the Tribunate on the same occasion supporting the candidature of Daunou, a strenuous opponent of Bonaparte and of the Concordat. The First Consul was much exasperated, and at once resolved to displace, by a fraudulent artifice, from both houses those members who were bold enough to challenge his policy. A fifth part were by law to retire annually. It was arranged that the Senate should designate them, instead of deciding the matter, according to the usual practice, by lot. Sixty members were thereupon excluded from the Legislative body, and twenty from the Tribunate; these being the individuals, it need hardly be said, who were known to have resisted the views of Government.

A.D. 1802. April 5.

This difficulty surmounted, the Concordat was presented to the legislature on the 5th of April, 1802, by the minister Portalis, in an elaborately reasoned speech, which will always be regarded as his ablest and most successful effort.† Appended to the text of the treaty were the so-called "Articles organiques de la Convention entre le S. Siège et la République,"—an extensive code of disciplinary regula-

* Theiner, *Les deux Concordats*, tom. i. p. 388.

† Portalis, *Discours, Rapports et Travaux inédits sur le Concordat de* 1801. *Discours sur l'Organisation des Cultes*, 15 Germinal, an X.

tions, which was thus published to the world as if it formed an integral part of the Concordat between France and Rome, whereas it had never been seen, much less sanctioned, by the Pope. It was based, indeed, upon two of the principal provisions of the Concordat, which opened, as had been long foreseen, a wide door to encroachment on the part of the civil power. The first was Article VI., by which his Holiness acknowledged that the First Consul possessed all the rights and prerogatives relating to the Holy See which had been enjoyed by the ancient government of France." The second was the famous clause in Article I., which had been so obstinately contested by Consalvi at Paris, stipulating that the Catholic worship should be public, "due conformity being observed with the police regulations which the Government might judge necessary to the preservation of public tranquillity." It was argued that since the "organic laws" were simply the development and application of these two principles, and belonged manifestly to the jurisdiction of the temporal ruler, there was no need to submit them by any further act to the approval of the Roman Curia.

Their object may be described as twofold: first, to act as a barrier against undue interference by the spiritual power in the domestic government of France; secondly, to place the hierarchy in complete subjection to the State, and in like manner to make the priesthood absolutely dependent upon the bishops. "They almost entirely overturned," says Consalvi, "the new edifice which we had taken so much trouble to build up. Whatever the Concordat had exacted in favour of the liberty of the Church and of its worship was once more brought into question by means of the Gallican jurisprudence; and the Church of France had good reason to fear that she might soon find herself reduced to slavery." *

* *Mémoires du Cardinal Consalvi*, tom. i. p. 405.

As regards the pretensions of the Roman Court, the "organic articles" re-enacted all the precautions and guarantees which the wisdom of the ancient Parliaments had devised under the monarchy. The bulls and other acts of the Pope were not to be published or executed until authorised by Government. The decrees of General Councils were to be examined to ascertain their conformity with the laws and rights of the Republic, previously to their being legally accepted. No deliberative assembly of the clergy was to be held without permission of the Government. Appeals *comme d'abus* against ecclesiastics were to be heard and decided by the Council of State.* No religious ceremony was to take place beyond the walls of churches dedicated to Catholic worship in towns where there were congregations of other denominations. Catholic priests were strictly forbidden to animadvert in their discourses either upon persons or upon doctrines belonging to other religious bodies authorised by the State. They were likewise precluded from marrying any parties but those who could prove that they had previously executed the marriage contract before the civil authorities. Finally, all professors in seminaries were required to subscribe the Four famous Articles of the Gallican clergy in 1682, and to bind themselves to teach the doctrines therein contained.

Portalis, in the remarkable speech already referred to, entered into a lengthened and persuasive train of argument designed to meet the prejudices of various conflicting classes, and especially to allay the misgivings and apprehensions of the extreme partisans of Rome. He explained that the verification of Pontifical bulls by the executive was not directed against the spiritual authority of the Holy See, since that examination had no reference to questions of dogma or of

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* "Il y aura recours au Conseil d'Etat dans tous les cas d'abus de la part des supérieurs et autres personnes ecclésiastiques."

ritual, but merely to what might be called the external form of such documents; its object being to make sure that the seal of the Roman Court had not been abused by political malevolence, for the purpose of propagating sedition and exciting to revolt. As to the rule relating to the publication of General Councils, Portalis observed that councils so designated had not in all instances deserved the name; that their deliberations had been too often influenced by political interest and passion, and by undue pressure whether ecclesiastical or secular; and that Government had therefore a fair right to inquire into the circumstances under which those assemblies had been held, before authorising the publication of their decisions for reception in France. He characterised such interference as a pure formality, a mere measure of precaution; and wholly denied that it implied any aggression upon conscience, or any check upon the free communication of the Church with its members spread throughout the world.

On the 7th of April the Concordat and the Articles Organiques were accepted in both houses by immense majorities. A very few members had the courage to vote against them, twenty-one in the Corps Législatif, and seven in the Tribunate. On the 9th took place the solemn public reception of the Papal Legate at the Tuileries. Caprara proceeded thither in grand state, escorted by the Consular guard, and preceded by the golden Legatine Cross borne in a state carriage. Arrived in the presence of Bonaparte and his splendid court, the Cardinal took a solemn oath, in terms previously agreed upon, that he "would not exercise his legatine powers and functions except during the time of his residence on the territory of France, that he would observe the constitution, laws, statutes, and usages of the Republic, and that he would not derogate in any way from the authority or jurisdiction of the Government, nor from the rights, liberties, and privileges of the Gallican Church." Such, at least, was the version officially published in the Moniteur, but it seems questionable

whether that account was strictly conformable with truth. The Legate remonstrated, but was assured that such formal phrases were in reality of no consequence, and had merely been copied from the ancient records of the engagements made by former Pontifical envoys. In the text published at Rome, all mention of the "rights, liberties, and privileges of the Gallican Church" is omitted.*

The feelings awakened at the Court of Rome when the text of the "Organic Articles" was forwarded thither from Paris, may be more easily imagined than described. The Pope saw at once that he had been duped and overreached. "He perceived," says Consalvi, "that the Concordat was overthrown and annulled at the very moment of its publication, and that immense injury had thereby been done to religion and to the essential principles of the Church." He lost no time in protesting, by a solemn allocution in the Consistory on the 24th of May, against the manœuvre of the French Government, declaring that the said "organic laws" were absolutely unknown to him, that he had taken no part in them whatever, that they caused him extreme distress, and that he was about to present to the First Consul the most urgent remonstrances against them. He added that "the great man who ruled France, after having so signally exhibited his zeal for the restoration and maintenance of Catholicism, could not possibly desire to contradict himself by persisting in a series of regulations so manifestly opposed to it." †

The remonstrances of the Holy Father were duly transmitted to Paris, but as a matter of course were altogether fruitless. The "organic articles" were in point of fact the interpretation placed by Bonaparte upon the obstinately controverted clause of the Concordat which provided that

* *Les deux Concordats, pièces justificatives*, no. xlii. tom. ii. p. 154.

† *Mémoires du Cardinal Consalvi*, tom. ii. p. 406.

the public exercise of the Catholic religion must be subject to those directions of police which might be deemed necessary to the maintenance of public order and tranquillity. The misgivings and forebodings of Consalvi during the negotiations of the previous year were thus more than justified by the event. On the one hand the Pope was compelled to confess that the additional articles, framed without his knowledge, were contrary to the constitution of the Catholic Church and to the proper observance of the laws of ecclesiastical discipline; on the other, those articles were now part and parcel of the statute law of France, and it was indispensably necessary to conform to them in the entire administration of religion and its ordinances.

It was soon rumoured in Paris that a serious misunderstanding had occurred between the Pope and the First Consul on the subject of the "organic articles." As this produced a certain amount of disturbance in the minds of the clergy, Bonaparte felt it necessary, though sorely against his will, to insert the Holy Father's "Allocution" in the Moniteur, appending to it at the same time a note in which he endeavoured, with much skill, to attenuate its meaning, by representing it as simply one of the customary reservations of the Court of Rome against the Gallican liberties. Nevertheless, as Cardinal Consalvi remarks, "the most cursory glance at the new regulations is sufficient to show that they very far exceeded the limitations and pretensions usually comprehended under the phrase Gallican liberties." *

The crowning transaction in the lengthened annals of the Concordat took place on Easter Day, April 18, 1802. Bonaparte, in a stirring proclamation dated the day previous, exhorted Frenchmen of all classes to forget the dissensions, misfortunes, and faults of the past, and to unite

* *Mémoires du Cardinal Consalvi*, tom. i p. 407

in defending the institutions of the country upon the solid basis of true religion. After sketching in a few graphic sentences the calamities of the Revolution, he proceeds, "With a view to put a stop to this disorder, it was necessary to replace religion on its proper foundation, and this could only be done by recurring to the measures which are pointed out by religion itself. It was to the Sovereign Pontiff that the tradition of centuries and the voice of reason bade us resort in order to win over opinion and to draw hearts together. The Head of the Church pondered in his wisdom and in the interests of the Church the propositions submitted to him in the interests of the State; he imparted his views to the clergy; what he sanctioned was ratified by the consent of the Government, and the legislature converted it into a law of the Republic. Thus do all the elements of discord disappear; thus vanish all the scruples by which tender consciences might be alarmed, and all the obstacles which malice might oppose to the re-establishment of internal peace. Frenchmen, let us combine for the happiness of our country and of humanity; let that religion which once civilised Europe be again the bond which reconciles its inhabitants to each other; and may the virtues which it requires always accompany the enlightened knowledge which we have gained!"*

Next day a solemn festival service was held at Notre Dame to celebrate simultaneously the conclusion of European peace and the reconciliation of France with the Catholic Church. At eleven o'clock the Cardinal-Legate, attired in the gorgeous costume of the Sacred College, preceded by the cross, and followed by all the members of his embassy, entered the west door of the cathedral. Next came a long procession of newly created archbishops and bishops in their robes, headed by the aged De Belloy, archbishop of Paris.

* *Correspondance de Napoleon* I^er^, tom. vii. p. 438.

But the cynosure of all eyes was of course the cortège of the First Consul. Bonaparte had carefully signified his wish to be accompanied on this grand occasion by representatives of all that was most distinguished and imposing both in the military and civil service of the State, as well as by his own family and the attractive female court over which his wife so gracefully presided. The generals received a formal order to attend, but made no secret of their extreme repugnance to obey. Augereau was deputed by his brethren to wait on Bonaparte with a petition that their presence might be dispensed with; he urged it with his usual boldness, but the response was prompt and peremptory, that they were all expected to be in the places appointed for them in the cathedral at the hour named. Many of them boasted, notwithstanding, that nothing should induce them to comply; and they were entrapped in the end by a clever device of Berthier, minister at war, who invited them to breakfast with him on the eventful morning, and afterwards proposed that they should join the First Consul at the Tuileries to take part in the public felicitations on the return of peace. Arrived in his presence, they could hardly decline to proceed with him to Notre Dame; and accordingly a numerous group of his companions in arms were stationed immediately behind him in full uniform during the Te Deum. As they were leaving the sacred building, the First Consul turned to General Delmas, and inquired what he thought of the ceremony. "It was extremely fine, General," replied Delmas; "nothing was wanting except the million of men who have lost their lives in pulling down what you are now labouring to reconstruct." Bonaparte showed his displeasure at this freedom by banishing Delmas from court.*

Cacault, who was still the official representative of France at Rome, reported in somewhat too sanguine terms the

* H. Martin, *Hist. de France depuis* 1789, tom. iii. p. 184, 2e édition.

feelings with which the late proceedings at Paris were regarded at the Vatican. He wrote on the 23rd of April to Talleyrand: "The great work which will immortalise Pius VII. is finished; the well-being of mankind and of religion is insured; henceforth the course of affairs will tend more and more to augment the satisfaction of the Holy Father. I endeavour to inspire the public here with such views, far superior as they are to the susceptibilities of the Court of Rome. The Pope feels how much he is indebted to the First Consul and the French Government for restoring to him his rightful place in the consideration of the world through the reconciliation of France with the Holy See. The Holy Father will continue to act in accordance with the wishes of the First Consul, who desires religious peace for the advantage of the French, and in consequence desires Catholicism *as it is*, and such as a pious Pope is bound to maintain it." At the same time Cacault was compelled to acknowledge that "the circumstances which distressed the Pope had prevented the people of Rome from exhibiting the joy which the happy completion of the Concordat would naturally inspire. The Pope has not ordered Te Deum to be chanted on this occasion at St. Peter's. Before doing so it will be necessary for him to put into due order, according to the standing rules and usages of this country, all that you have done at Paris. To induce his Holiness to execute this is the object of my constant efforts. We must let him complete the examination which he has undertaken, and, provided some method can be found (as I have no reason to doubt) of agreeing to the whole project, which I perceive they are *bonâ fide* endeavouring to do, all will be well at last." *

Pius VII. informed Bonaparte, by an autograph letter of the 27th of May, that the Concordat had been published in Consistory on the 24th, being the Feast of the Ascension, and

* Theiner, *Les deux Concordats*, tom. i. pp. 415–17.

that on that occasion Te Deum had been solemnly sung in the Patriarchal basilica of St. John Lateran. At the same time he expressed his deep and bitter regret at the promulgation of the Organic Articles, and earnestly entreated the First Consul to take measures for the alteration of those enactments, passed as they were without his knowledge, in certain essential particulars. A despatch from the Cardinal-Secretary Consalvi repeated this demand in the most precise and importunate terms.

Before closing this account of the steps by which the Gallican Church was reduced to the shape and condition which it has retained from the date of the Concordat to the present hour, it must be observed that the opposition to that settlement raised by a section of the clergy, though obstinately persisted in for a time, gradually declined, and at length lost all importance. Of thirty-eight bishops who signed the "Réclamations Canoniques et respectueuses" against the Concordat in 1803,* some continued to exercise their ministry by means of commissaries or delegates; others contented themselves with protesting generally against the uncanonical proceedings of the Pope, and remained passive spectators of the transformation of the ancient Church of France into a body either enslaved by the narrowness of Papal absolutism or helplessly dependent on the supreme control of the State. In the year 1810 the bishop of Rodez, in a pastoral letter dated from London, reckoned only *seven* prelates as representing the legitimate hierarchy of France; and not long afterwards it was reduced to *four*. These four survivors presided for many years over the fractional communion known as "la petite Église." They did not hesitate to denounce the

* This elaborate protest is said to have been drawn up by Mgr. Asseline, the excellent and gifted bishop of Boulogne; the same whose "Instruction Pastorale" was so widely approved and adopted by his colleagues in 1790.

Concordat as a work of iniquity and corruption, contrary to the rights of the episcopate, and to the fundamental principles of the Church of God.* The bishop of Blois (Lauzières de Thémines), after classifying the conformist bishops in the triple category of *ci-devant* Constitutionals, those who had been recently promoted, and those of the former bishops who had been appointed to new sees, declared that "since they were all *in the same ditch*, it mattered little whether one had sunk much deeper than another." He maintained that the late acts of the Pope had had the effect of destroying the Apostolical succession in France, and that the Church of the Concordat was not a Catholic and Apostolic Church. As a necessary inference, he and his three colleagues regarded themselves as the only lawful episcopate of the French Church. Holding such principles, it might have been expected that they would make careful provision for the future

* The following is a specimen of the extravagant language employed by the *Petite Eglise* in condemnation of the Concordat. 'Est-il permis à un homme d'honneur et de probité de se soumettre au Concordat? Non, absolument non. Voici mes raisons: 1°. Le Concordat blesse l'autorité de Dieu par la sanction de tous les pillages et les vols commis durant la Révolution. 2°. Le Concordat blesse l'autorité de l'Eglise, abolit ses lois, son indépendance, son gouvernement, son infaillibilité; la foi est altérée, la morale anéantie; tous les prêtres soumis ne peuvent annoncer les vérités fondamentales de la religion. 3°. Le Concordat blesse l'autorité du chef de l'Eglise. Il a condamné les lois organiques; qui entre les prêtres, je n'en demande qu'un seul parmi les soumis, a reçu avec respect ses décisions? Ni évêques, ni prêtres les ont écoutées. 4°. Le Concordat blesse l'autorité du Roi. Aucune puissance sur la terre n'a le droit, excepté le souverain légitime, de délier les sujets de leur serment de fidélité, et de les attacher par un serment criminel à la plus monstrueuse des usurpations. 5°. Le Concordat détruit les libertés de l'Eglise Gallicane, donne gain de cause aux assassins du vertueux Louis XVI., à ces modernes Héliodores qui ont pillé et volé les trésors du temple, et est le triomphe complet de la philosophie.

'Ainsi, se soumettre au Concordat, c'est arborer l'étendard de la révolte contre Dieu, notre Mère la Sainte Eglise, le Vicaire de Jésus-Christ, et son Roi; enfin, c'est renoncer à sa qualité d'homme de probité pour prendre celle d'un parfait coquin, ce qui n'est pas permis. Il n'y a point de paix avec les impies.

'Nos malheurs, Monseigneur, datent du xiv^e^ siècle. L'Anglais Wiclef en est le premier auteur; à Wiclef et aux Wiclefistes succédèrent Jean Huss et les Hussistes; à ceux-ci, Luther, Zwingle, et tous les Protestans; aux Protestans, Baius et les Baianistes; à ceux-là Jansénius et les Jansénistes; à ce dernier, les Constitutionnels; aux Constitutionnels, les Concordatistes. Toutes les sectes ont constamment prêché les mêmes principes de désorganisation et de destruction.'—Extracted from a letter to Cardinal Caprara by Jacques Pierre Fleury, 26 Juillet, 1802.

by ordaining and consecrating successors in the ministry. They refrained, however, from taking that step. De Thémines, the survivor of the champions of the "petite Eglise," expired in the year 1829; when their line became finally extinct. At the time of the Restoration of the Bourbons in 1814, that inflexible prelate had been warmly invited to quit his exile and return to France—an invitation which he steadily declined. "In order to induce a French prelate to return to his native land after such sufferings," were his words, "it is not sufficient that the Monarchy has been restored; he requires, in addition, the entire and absolute restoration of the religion of his fathers." *

* See F. R. W. Guettée, *Mémoires pour servir à l'histoire de l'Église de France pendant le XIX^e Siècle.* 1^er fascicule. 1878. Also *Biographie Universelle*, sub v. Thémines.

CHAPTER XII.

IT was natural and logical that Bonaparte, having accomplished his purpose with such complete success in the matter of the Concordat, should seek the ministerial sanction of the Church when he proceeded to assume the Imperial diadem. The one step was the immediate consequence of the other; the act which ratified the reconciliation of France with Catholic Christendom was scarcely signed, when its author began to moot the project of causing himself to be crowned Emperor by the hands of the Pope. General Lafayette so clearly foresaw this, that when he heard that the negotiations for the Concordat were finally concluded, he remarked significantly to the First Consul, "So you wish to have the little vase" (the "Sainte Ampoule") "broken over your head!" *

Cambacérès, in his celebrated speech tendering the crown to Napoleon on behalf of the Senate, attributed the step about to be taken to the proud traditions which France had accumulated through so many centuries of hereditary sovereignty, contrasted as they were with its brief and painful experience of the opposite system. "The nation now returns," said he, "by the effect of free and well-matured deliberation, to a government corresponding with its genius." Napoleon, however, contemplated something beyond the

* *Mémoires de Bourrienne.*

transformation of his authority from a republican to a monarchical shape. His object was to revive the august memories of the Empire of the West founded by Charlemagne; to reproduce and perpetuate, nay even to surpass, the European supremacy which had been concentrated under his sceptre. With that end in view he had formed a resolution not only to be crowned, not only to be crowned by the Pope, but to be crowned by him *at Paris*, in the midst of his own capital. This involved a hitherto unprecedented exercise of Papal condescension; for no former Emperor had ever received the sacred unction except within the walls of the "Eternal City." No sooner had his elevation been proclaimed, than the new Emperor commissioned the Cardinal-Legate Caprara to intimate his wishes to the Holy Father. A letter was received suddenly at Rome, to the effect that all the wisest and most influential personages at Paris were of opinion that the Emperor of the French ought to receive the symbols of his dignity from the head of the Catholic Church; and that this measure could not but have auspicious results in the interests of the Church itself. Napoleon represented that, under the present circumstances of the country, it was impossible for him to undertake a journey to Rome; and that the only alternative was to request the Pontiff to come in person to Paris, according to the example furnished by more than one of his predecessors. His Holiness, he added, would have no cause to be dissatisfied with the fruit of such a concession, since religion would be thereby advanced to an extent beyond his hopes. Caprara pointed out, on his own behalf, how desirable it was that the Pope's reply should be in the affirmative. A refusal, he said, would never be forgiven. Excuses grounded on the age and weak health of the Holy Father, or the difficulties of the journey, would be taken as mere pretexts, and would produce the worst effects; it would be useless to raise objections as to matters of etiquette respecting the reception and residence of the

Pope at Paris, since he knew for certain that the Emperor was prepared to do all that had ever been done on former occasions in the way of reverence and honour to the Holy See, and indeed to go beyond what might be expected.

It is easy to estimate the agitation and perplexity which this communication must have caused to Pius and his counsellors. On the one hand, such was the height of general prestige and predominance to which Napoleon had attained, that it was scarcely possible, especially for one representing the cause of Catholicity, to refuse him anything. None could deny that he had acquired pre-eminent claims on the deference and even the obsequious devotion of all who wished well to the restored Gallican Church. On the other hand, the Pope could not forget the fundamental weakness of his original title to power; nor was he blind to the grave inconsistency which might be urged against a Roman Pontiff who should confirm with the direct warrant of the Church the authority of a monarch who was simply the nominee of a flagitious Revolution. Moreover, he had been deeply shocked by the recent tragedy of the death of the Duke d'Enghien, which he had no hesitation in charging upon Bonaparte as a deliberate and inexcusable crime. Pius wept over the announcement of this scarcely disguised murder; and confessed to his minister that his tears were caused not more by the distressing fate of the Bourbon Prince than by the flagrant guilt of the tyrant.*

The Cardinals at Rome, who were immediately consulted, were somewhat divided in their sentiments, but agreed in submitting to his Holiness a series of objections to which the project seemed liable, and which were forthwith communicated to the French Government by the Cardinal-Secretary Consalvi. The main difficulty lay in certain clauses of the coronation oath to be taken by the Emperor; namely, those

* *Mémoires du Cardinal Consalvi*, tom. ii. p. 387.

which bound him to "respect, and cause others to respect, the laws of the Concordat and the freedom of religious worship." It was objected that such terms might be held to include the "Organic Articles," in which it was impossible for the Pope to acquiesce; and "respect for religious liberty" might signify an open and unqualified protection of all religious sects and persuasions, which was contrary to the principles of the Church. Again, the royal House of Bourbon and its friends, the Emperor of Germany, and other European courts, would undoubtedly find much to disapprove in the proposed act of coronation, and dissension would be sown between them and the Holy Father. Further, his Holiness would be embarrassed by witnessing at Paris manifold violations of the laws of the Church, resulting from the events of the Revolution as well as from recent legislation, which his presence might be supposed to sanction. He might be brought into questionable contact with certain *ci-devant* Constitutional bishops and clergy who still persisted in their rebellious attitude towards the disciplinary demands of the Church. Fresh applications might be made to him on their behalf, which it might be out of his power to grant, and which might lead to an interruption of harmony and renewed complications.

The negotiation was pursued on the part of France by Cardinal Fesch, Napoleon's uncle, who in the year preceding had succeeded Cacault in the post of French ambassador at Rome. A detailed and very ably drawn "memorial" which he forwarded to Paris on the 10th of June, 1804, contributed to the solution of the difficulties in hand, and to the ultimate attainment of the Emperor's object. With regard to the language of the Coronation oath, the ambassador states that he had assured the Pope that the phrase "Les lois du Concordat" referred solely to the seventeen articles of the acknowledged treaty between his Holiness and the French Republic, and not to the "Articles Organiques" which had

been subsequently appended to it. As to the engagement to "respect freedom of worship," he explained that it did not imply an internal religious respect, extending to the belief of particular doctrines held by various sects, but simply a uarantee of external protection to all classes of French subjects; impartial toleration and equality in the eye of the law being manifestly one of the essential conditions without which it would be impossible to maintain peace and political security in a country such as France. The Senate, he observed, knew well that the Emperor was a Catholic; it could not, then, have intended to bind him to such a *theological* toleration of heterodoxy as would nullify his own religious belief, and consequently civil toleration and legal protection were all that the oath required.

Positive assurances to the same effect were despatched in due course to Cardinal Fesch from Paris; and it was intimated at the same time that, inasmuch as keen and widespread prejudice existed in France against the proposed ceremonial, special care should be taken not to offend the Emperor by precipitancy or needless opposition while the affair was pending, since, if he should once take umbrage, there were those at hand who would do their utmost to foment his irritation, and urge him to a line of conduct which nothing in the world would afterwards induce him to relinquish. Talleyrand adverted, further, to the case of the four *ci-devant* Constitutional prelates (Le Coz, Archbishop of Besançon, Lacombe, Bishop of Angoulême, Saurine, of Strasburg, and Raymond, of Dijon) who had disavowed their former act of submission, and remained still contumacious. He declared that the Emperor would feel it his duty to recall them to those sentiments of implicit obedience which they were bound to entertain. This continued to be a source of anxious solicitude to the Holy Father. It was not, says Consalvi, that they refused to accept the Concordat; they had submitted to it as a new law imposed by the Government,

just as they had acknowledged the Constitution Civile in 1790; but they declined to repudiate the *principles* of that Constitution, and to accept the decisions of the Holy See respecting it; they persisted in regarding it as sound and commendable, and even went so far as to contravene in writing the very decree in virtue of which they had received canonical institution to the sees they held.

The postponement of complete satisfaction upon this critical topic more than once endangered the success of the whole negotiation. At length Cardinal Fesch made a distinct promise, in the name of the Emperor, that the four prelates should execute a formal retractation in the presence of the Pope, and in the terms which he should prescribe; and that in the very improbable contingency that any one of them might decline to submit, the Government would compel him to resign his see.* Some further hesitation arose from a rumour that it was intended, after the ceremony to be performed at Notre Dame by the hands of the Pope, to celebrate a sort of second coronation of a civil character, for the gratification of the mass of the nation. Upon this point the ambassador stated that he was not in a position to make any categorical reply. Upon the whole, however, it was not judged desirable to protract the deliberations; and accordingly Consalvi signified, on the 2nd of September, 1804, that his Holiness was willing to proceed in person to Paris, to solemnise the consecration and coronation of the Emperor. The Pope announced without delay his intention to the Cardinals in secret Consistory; observing that the request preferred by the Emperor was not only a clear testimony of his piety and his filial sentiments towards the Holy See, but also a declaration of his purpose to protect more and more effectually that Catholic faith which he had generously raised from its ruins by such memorable efforts.

Mémoires du Cardinal Consalvi, tom. ii p. 398.

The Holy Father set out from Rome on the 2nd of November, attended by a retinue of eighty persons, among whom were six Cardinals (besides Cardinal Fesch, who went in his quality of French ambassador), four prelates, two Roman princes commanding the Guardia Nobile, and other superior officers of his household. It had been specially requested by the authorities at Paris that Cardinal Consalvi might accompany his master; but this was negatived by the Pope, who replied that it was altogether inadmissible that Rome should be abandoned at the same moment by its sovereign and by his first minister of state. Consalvi, therefore, remained at his post. Courier after courier was despatched by Napoleon to hasten the Pope's arrival:* he was hurried on the journey, we are told, with an indecency which was offensive to his dignity as well as injurious to his health. He had not even been consulted as to the precise date when the coronation was to take place; "in a word," says the Cardinal-Secretary, "the Pope was obliged to push on towards Paris like a family chaplain who is sent for by his patron at a moment's warning to come and say mass."† After a stoppage of two days at Florence, he reached Turin on the 12th, and there received a letter from Napoleon, full of expressions of gratitude, and earnest aspirations for the completion of the journey.‡ On the 19th he arrived at Lyons, and was welcomed with the utmost enthusiasm by a vast multitude of people from all parts of that district. He was lodged at the archiepiscopal palace; and, on proceeding to the cathedral, Jauffret, president of the chapter, addressed him in a vigorous Latin speech, assuring him that Rome and Lyons had been in all ages united in religious faith and in attachment to the successor

* The Emperor's letter for this purpose to Cardinal Fesch is given in the *Correspondance de Napoleon* I^er^, tom. x. p. 43.

† *Mémoires du Cardinal Consalvi*, tom. ii. p. 403. This is exaggerated language, considering that the Pope's journey from Rome to Fontainebleau occupied twenty-three days.

‡ *Correspondance de Napoleon* I^er^, tom. x. p. 56.

of St. Peter; that that union still continued, and would never cease to exist. His Holiness replied with visible emotion. On the 21st he resumed his route, and on the 25th found himself safely installed in the palace of Fontainebleau, where it had been arranged that he should take a few days of repose before entering Paris. Napoleon had ordered a hunting-party for that day, the course of which was so directed as to meet the Pontifical cortège at a spot called the "Croix d'Héren;" and here accordingly he presented himself to his guest with all imaginable marks of cordiality, veneration, and honour. Dismounting from his horse, he entered the Pope's carriage, and they proceeded together to the château, at the entrance of which the Empress Josephine, the court, and the chief officers of state and of the army, were assembled to receive him. Yielding to the extraordinary fascination which the Emperor never failed to exercise upon those around him on any sufficiently important occasion, Pius conceived sentiments of affection for him which, notwithstanding many rude shocks and cruel vicissitudes, he retained to the end of his life.

On the 28th the Pope was conducted by Napoleon to Paris, and took possession of a splendid set of apartments in the "Pavillon de Flore" at the Tuileries. On the 30th he received the homage of the constituted authorities, the Senate, the Legislative body, the Tribunate, and the Council of State. The president of the legislative body addressed him in a speech full of good feeling and impressive eloquence. The Concordat, he said, was an act by which France, abjuring grave errors, afforded lessons of the highest importance to mankind. She then acknowledged publicly that irreligious notions are at the same time impolitic, and that every attempt against Christianity involves of necessity an attack upon society. "The whole social system which had been overthrown by the wayward opinions of man, is now settled afresh upon the basis of a doctrine unchangeable as

God Himself. We owe this blessing to a twofold prodigy. France has witnessed the rise of one of those wonderful men who from time to time are commissioned to bring succour to empires tottering to their ruin; and Rome, at the same moment, has recognised the exhibition upon the throne of St. Peter of all the Apostolic virtues of the primitive age. All hearts are affected by their gentle authority. Universal homage must attend a Pontiff whose wisdom is equal to his piety, who fully understands how much must be left to the ordinary direction of human affairs, as well as what is demanded by the supreme interests of religion. That august religion has come to consecrate by his hands the new destinies of the French empire, and to receive the same organisation as in the age of Clovis and Pepin. Everything that lies around religion has been changed; religion alone has never changed. The families of kings come to an end like those of their subjects; but religion teaches us to admire, amid the wreck of fallen thrones and upon the steps of those which succeed them, the manifestations of eternal purposes, and to obey them with confidence. We are no longer in the times when the Empire and the priesthood were rivals. Both join hand in hand to repel the fatal doctrines which have menaced Europe with utter destruction. May those dangers be for ever put to flight under the united influence of religion and wise policy!" *

If the Pope had entertained any misgivings as to the kind of reception which he might meet with from the French people in general, and in particular from the excitable population of the capital, the first days of his sojourn at the Tuileries must have sufficed to restore his confidence. Responding to the acclamations of a vast crowd under his windows, he showed himself repeatedly on a balcony, and bestowed his benediction on the multitude, who received it with profound venera-

* Theiner, *Les deux Concordats*, tom. ii. p. 201.

tion on their knees. From that moment he became the object of a genuine respect, affection, and popularity, which were manifested whenever and wherever he appeared. "He treated every one," says the Abbé de Pradt, "with that noble and paternal benignity which characterises him. His behaviour was that of a father in the midst of a family from which he had been long separated. The hardest heart was penetrated by the celestial expression of his countenance. I have never yet met with any one who could resist it; and, if the eyes are the mirror of the soul, that of Pius VII. must be the most saint-like that has ever been granted to a mortal." *

The Pope stood firm in his demand that the four refractory prelates above named, if they desired to be presented to him together with the rest of the episcopate, should previously sign a written statement of their retractation, and profess unqualified submission to the decisions of the Holy See. That document was drawn up accordingly by Bishop Bernier and the minister Portalis in the following terms;—"I declare, in the presence of God, that I adhere and submit to the judgments pronounced by the Holy See, and by the Catholic, Apostolic, Roman Church, upon the ecclesiastical affairs of France. I beg his Holiness to grant me his Apostolical benediction." The bishops affixed their signature, in compliance with the express command of the Emperor; but one of them (Lecoz) took the liberty to make a slight but significant alteration in the prescribed formulary, and substituted "affaires *canoniques*" for "affaires ecclésiastiques." The Pope was on his guard, and instantly exposed the artifice. "We well know," he wrote to Napoleon on the 1st of December, "that your Majesty, in your piety and wisdom, will deign to take the measures which are necessary in order that we may not find ourselves compromised, and that nothing may occur which

* De Pradt, *Les quatre Concordats*, tom. ii. p. 211.

might disturb or tarnish the august and sacred function of to-morrow." The Emperor forthwith summoned the two prelates (for Saurine showed a disposition to support the manœuvre of his colleague), and threatened them with instant disgrace if they persisted. Upon this they sought an interview with the Pope, threw themselves at his feet, and corrected their act of submission to his entire satisfaction.*

Another preliminary difficulty remained to be disposed of. It had come to the Pope's knowledge that the marriage between Napoleon and Josephine had never been celebrated with the rites of the Church;† that it was simply the civil contract legalised by the Revolution. The Empress had repeatedly entreated her husband to seek the nuptial benediction at the hands of some member of the Catholic priesthood; but he had always resisted or evaded the demand. It has been suggested that he was already meditating in secret the divorce which he unhappily executed some years later.

The Holy Father at once made it clearly understood that it was impossible for him to proceed to the coronation until the union of the Imperial pair had been sanctioned by the ordinances of religion. Napoleon received the announcement with violent indignation, but found himself compelled to assent, after stipulating that the ceremony should take place with absolute secrecy, and should never be divulged. A portable altar was hastily placed in one of the private apartments of the palace; and here, at midnight on the 1st of December, Cardinal Fesch joined the hands of the Emperor and Empress, in the presence of two confidential witnesses, Count Portalis, Minister of Public Worship, and Duroc, Grand Marshal of the Palace.‡ Josephine afterwards demanded and

* Theiner, *Les deux Concordats*, tom. ii. pp. 206, 207. Jauffret, *Mémoires historiques*, tom. i. p. 418.

† Madame de Remusat states that he was informed of the fact by Josephine herself. *Mémoires*, tom. ii. p. 62.

‡ According to Madame de Remusat, the witnesses were two aides-de-camp.

obtained from the Cardinal a written certificate of the marriage, which she preserved with extreme care. Determined efforts were made in her subsequent days of misfortune to induce her to part with the precious document, but always in vain.

The morning of Sunday, the 2nd of December, 1804, was wintry, but clear and serene. The Pope left the Tuileries at nine o'clock, much earlier than the Emperor, and showed admirable patience in remaining some time seated on his throne at the high altar till the imperial procession arrived. The sixty prelates of the Gallican Church surrounded him, and he greeted them severally with impartial kindness, making no distinction as to the circumstances of past history. The cathedral was decorated with unparalleled magnificence; superb velvet hangings, profusely *semé* with golden bees, descended from the vault to the pavement; at the west end, opposite the high altar, an immense throne, raised upon twenty-four steps, and flanked by ornamental columns, was prepared for the Emperor and Empress after the act of coronation. Napoleon, having assumed the imperial costume at the Archevêché, at length made his appearance, knelt at the altar, and then seated himself in a splendid chair of state. "He seemed somewhat overpowered," says an eyewitness, "by the weight of his robes. His small form looked ready to melt away under that enormous ermine mantle. He wore a simple circlet of golden laurels, which gave his head the appearance of an antique medal. But his countenance was extremely pale, with evident marks of emotion, and his general expression severe and somewhat disturbed. The Pope, during the whole course of the ceremony, had rather the air of a submissive victim, generously resigned by an act of his own will, and for a purpose of high public importance. The service was throughout extremely imposing and beautiful." *

A.D. 1804. Dec. 2.

The Pope, having anointed the Emperor, according to

* *Mémoires de Madame de Remusat*, tom. ii. pp. 71, 72.

prescribed usage, on the forehead, the arms, and the hands, and having girded him with the sword, approached him bearing the crown from the altar. Napoleon, without rudeness, but with decision, took the symbol of sovereignty out of the Pontiff's hands, and placed it upon his own head.* This act, so full of significance, produced an inexpressible effect on the spectators. Napoleon proceeded to crown the Empress, who knelt before him. A procession was then formed to the grand throne, where the Pope bestowed his solemn benediction on the new sovereign, in the same words that had saluted Charlemagne in St. Peter's a thousand years before, "Vivat in æternum semper Augustus!" His Holiness then retired to the sacristy; and the Emperor, sitting on his throne and surrounded by the great officers of state, pronounced the coronation oath as follows, with his hand upon the Gospels. "I swear to maintain the integrity of the territory of the Republic; to respect, and cause others to respect, the laws of the Concordat and the liberty of religious worship; to respect the equality of rights, political and civil freedom, and the irrevocable permanence of the sales of national property; to impose no tax or duty without the authority of the law; to maintain the institution of the Legion of Honour; to govern with the sole object of promoting the interest, honour, and glory of the French people." †

Such was the memorable act by which France signalised her return to the great principle of hereditary sovereignty, which she had repudiated "for ever" twelve years previously. "The French people," cried the official orator of the Corps Législatif on the 27th of December, "had expressed its free and independent will; it had voted the hereditary descent

* This singular innovation upon the tradition of past ages appears to have been distinctly arranged beforehand.—Jauffret, *Mémoires*, tom. i. p. 420.

† See *Correspondance de Napoleon* I^er^, tom. x. p. 60.

of the imperial dignity in the line of the direct, legitimate, and adopted posterity of Napoleon Bonaparte. From that moment Napoleon was by the most absolutely just of titles Emperor of the French. No other act was necessary to demonstrate his rights and to consecrate his authority. But he desired to restore to France those antique forms and institutions which seem to have been divinely inspired, and to impress on the commencement of his reign the seal of religion herself. The Head of the Church, in order to give to the French a striking proof of his paternal tenderness, consented to sanction this august ceremony by his personal ministry. What a profound and lasting impression has it left in the heart of the Emperor and in the recollections of the nation!—Napoleon prostrate at the foot of the altars which he so lately restored; the Sovereign Pontiff imploring for him and for France the benedictions of heaven, and in his prayers for the happiness of one nation comprehending the happiness of all; pastors and priests, hitherto divided, pouring forth their united thanksgivings; and in the midst of all, Napoleon pronouncing the solemn oath which secures the integrity of the Empire, the stability of property, the perpetuity of public institutions, the authority of the laws, and the felicity of the nation!" *

Pius VII. prolonged his sojourn at Paris for several months. He visited and officiated in most of the parish churches; he held a public Consistory in the great hall of the archbishop's palace, in which he bestowed the cardinal's hat on the archbishops of Paris and Rouen, and preconised various bishops, French, Italian, and German. On the Feast of the Purification, 1805, he consecrated two bishops in the church of St. Sulpice, one of them being the well-known Abbé de Pradt, who received the see of Poitiers. The Pope likewise inspected the imperial printing-press,

* Theiner, *Les deux Concordats*, tom. i. p. 229.

the Hôtel Dieu, and other scientific and charitable establishments.

But in the midst of these occupations he by no means lost sight of other objects which lay specially near his heart, and some of which he had already indicated to the French Government as the virtual conditions upon which he had consented to proceed to Paris. The Abbé de Pradt asserts * that the Pope was governed in this important act of his Pontificate solely by motives of political interest; that his main purpose was to obtain the restitution of the Three Legations. But this is positively contradicted by Cardinal Consalvi, whose position and character make it impossible that he should have fallen into misconception on such a point. He declares that although it was repeatedly *suggested* to the Holy Father that he should demand the restoration of the three provinces, and a compensation for the loss of Avignon, he uniformly refused to intermingle any temporal consideration with the great measure to which he was about to pledge himself.† There were two essential stipulations upon which he insisted, and they were these—the retractation of the *ci-devant* Constitutional bishops, and the withdrawal or modification of the "Organic Articles." A settlement of the first question was obtained, as we have seen, before the coronation; with regard to the second, distinct assurances were given, though in official and general terms, that the Pope should receive satisfaction, and that any additional strictures on the part of his Holiness should be carefully considered.

Confiding in these promises, Pius drew up with his own hand, and presented to the Emperor at Malmaison towards the end of February, a memorial recapitulating the topics of discussion which remained still to be determined between himself and the Government of France. He now for the first time adverted to the serious territorial losses which had im-

* De Pradt, *Les quatre Concordats*, tom. ii. p. 215.

† *Mémoires du Cardinal Consalvi*, tom. i. pp. 411 *et seq.*

poverished and weakened the Holy See. It had been dispossessed, in the middle of the preceding century, of the Duchies of Parma and Placentia, which had reverted to it as fiefs on the death of the last Duke Farnese. Avignon and the Comtat Venaissin had been violently annexed to France by the National Assembly at the commencement of the Revolution. The Directory had seized and confiscated the three finest provinces of the States of the Church, those of Romagna, Bologna, and Ferrara. The ecclesiastical fiefs in the kingdom of Sardinia had been forcibly abstracted; and the "annates" and "expéditions" of France and Germany, in pursuance of the new order of things established in those countries, had ceased to replenish the Apostolical treasury. "In short," said his Holiness, "the financial sacrifices inflicted upon Rome and her subjects in the course of the Revolution are incalculable and irreparable." "It would be easy to prove," he continues, "that the Directory had absolutely no right to take military possession of the Papal territory; and to demonstrate that, without the possibility of any danger to the interests of France, it would be wise policy, having regard to the balance of power in Italy, to restore his dominions to a prince who has no other defensive weapons than his temporal weakness and his spiritual dignity. But we desire to place our confidence in nothing, after God, but in the generosity and greatness of your magnanimous heart!"

Napoleon received these representations with outward professions of sympathy and acquiescence, but gave the Pope no real ground to expect that his demands would be granted. He expressed himself persuaded that, in the interest of religion, the Roman Pontiff ought to hold the position of an independent sovereign. He would feel it at all times his duty to guarantee the security of the Papal dominions, and to maintain them in tranquillity in case of any future outbreak of war. He would seize with the utmost eagerness any opportunity that might present itself for augmenting the importance and

advantages of the Pope's temporal condition. But it was not possible to interfere for such a purpose with past events in which he (the Emperor) had not participated, and which occurred before his accession to the throne. It was imperative that he should respect the boundaries which he found already traced; this was demanded of him alike by the laws of the Constitution and by the sanctity of his coronation oath. France had purchased at a high price the power which she then enjoyed. It was not competent to the Emperor to make any curtailment of an Empire which was the fruit of ten years of desperate warfare, and the result, moreover, of revolutionary sufferings endured with constancy which had never been equalled.

Nor did the Holy Father meet with better success in his expostulations upon other matters of a more purely ecclesiastical nature. The reply to his earnest pleadings for the abandonment of the "Organic Articles" was a positive refusal, based upon statements not altogether accurate. The minister Portalis declared that these articles were in reality nothing more than a synopsis and digest of the ancient teaching of the Gallican Church; that, with two or three exceptions, they represented the maxims which the episcopate, the Sorbonne, and the Parliaments, had professed and enforced from age to age. For that reason it was impossible to disavow them. They rested on the principles of the famous "Declaration" of 1682,—a standard of doctrine which, however vehemently it might be contested by Ultramontane partisans, no prudent French government would ever venture to impugn or abjure. With reference to this latter difficulty, it seems that the Emperor himself propounded to the Pope a dilemma by no means easy of solution. "The Declaration of 1682," he said, "is either contrary to the law of God, or it is not. In the former case, how can the Church have tolerated or permitted it for a single moment? In the latter case, it is evidently not a point of deep importance to the

welfare of Christendom; no harm can be done, therefore, by allowing the Gallican tradition to be maintained, as hitherto, in France."*

The Pope pressed another point with equal urgency—that Catholicism should be declared by authority the *dominant* religion in France. Here again, Napoleon and his ministers found it easy to base a negative reply upon the state of parties and other prudential considerations arising from the late Revolutionary convulsions. The Catholic religion, they remarked, was already dominant in fact, inasmuch as it was that of his Majesty, of all the imperial family, and of far the larger part of the French nation. To pass a law, then, which should declare it dominant, would be of no practical utility, while the measure could not fail to offend and alarm the various dissenting sects. In the present state of the national mind, it would serve to resuscitate social heart-burnings and jealousies, and would stir up renewed hostility against the Church and the Government which supported it.

By reasons of a similar nature the Emperor was precluded from sanctioning the alterations which the Pope desired to effect in the existing law of divorce. In the eyes of the Catholic Church the marriage tie was indissoluble; the legislation of the Code Civile had reversed that doctrine; had reduced marriage from a religious to a simply secular contract, and made its dissolution easily obtainable by the sentence of a court of law. In defence of this, which was one of the most objectionable innovations of the Revolution, Napoleon thought it sufficient to state that, in a country where universal toleration is established, the law cannot proscribe a practice which is admitted by many of the sects composing the community. Laws must be adapted to the actual situation in which a people finds itself. It would have been anything but wise to make a precipitate change of

* Theiner, *Les deux Concordats*, tom. ii. p. 270.

jurisprudence in a point which was naturalised in France by fifteen years of Revolution. His Majesty, nevertheless, had made it publicly known, by a circular letter of the 19th Prairial, an X, that the Catholic clergy were at liberty to refuse the nuptial benediction to parties marrying a second time after divorce, if the first marriage had not been previously dissolved by the death of either husband or wife. In such a case, no motion for procedure against the clergy could be sustained before the Council of State." *

What then, it may be asked, did the Court of Rome gain eventually, in the way of religious satisfaction, security, or advantage, by its somewhat questionable policy in recognising and consecrating the new Imperial régime? On a review of all the circumstances, it must be confessed that the expectations with which the Pope set out for Paris were cruelly disappointed. With reference to all matters which involved a conflict of principle or interest between Church and State, he had been met at first by evasive phrases, and in the end by total failure. The single exception was the retractation of the four Constitutional prelates. There were, however, matters of secondary importance, in which the influence of the Holy Father was exerted with decided success for the benefit of the Gallican Church and the general advancement of religion. He obtained the re-establishment of several religious Congregations, such as the Lazarists or Priests of the Mission, the Missions Etrangères, the Ecoles Chrétiennes, the Sisters of St. Vincent de Paul, and others. He obtained an increase of emolument for the *desservants*, or stipendiary curates; a promise that the superintendence of "Lycées" should be placed to some extent under episcopal authority; and a regulation that no priest who was not in full communion with his diocesan should be allowed to take part in the work of education. The desecrated church of Ste. Gene-

* See the "Rapport à l'Empereur sur les représentations faites par le Pape."—*Discours et Travaux de Portalis*, pp. 285–306.

viève, moreover, was restored at his urgent entreaty to the purposes of Catholic worship.

The Pope quitted Paris on the 5th of April, 1805, and was received on his return journey with the same universal enthusiasm which he had experienced throughout his residence in France. He celebrated Easter at Châlons-sur-Saône, and, pursuing his route viâ Lyons and the pass of Mont Cenis, reached Turin on the 20th. Here he was immediately visited by Napoleon, who was on his way to Milan, there to be crowned King of Italy. It appears that Pius had been solicited to officiate on this occasion, but declined, on the ground that such an act would be equivalent to sanctioning the annexation of the Three Legations to the newly formed kingdom of Italy. At Florence the Pontiff had the consolation of receiving the dutiful submission of the famous Scipio Ricci, lately bishop of Pistoia, whose doctrine had been condemned several years previously by the bull "Auctorem fidei." At length, on the 16th of May, his Holiness safely re-entered Rome, where he was greeted by the entire population with transports of gratitude and joy. In an allocution to the secret Consistory on the 26th of June he spoke in terms of lively satisfaction of his reception by all ranks and classes of the French nation, of the personal sentiments and conduct of the Emperor, and of the promises made by him "for the advancement of the Catholic religion, the glory of the Gallican Church, and the authority and dignity of the Holy See."

Nevertheless, there is no doubt that for some months previously feelings of mistrust and estrangement had been growing up between the two potentates. Before six months had passed, the tone used by the Pontiff as to his relations with the head of the French Government was painfully altered. "We tell you frankly," he wrote to Napoleon on the 13th of November, "that since our return from Paris we have experienced nothing but affronts and annoyances, whereas

our personal acquaintance with your Majesty, and the conduct which we have constantly maintained towards you, might have justified us in looking for very different treatment." *

From the moment when Napoleon found himself invested by Apostolic hands with the sceptre of Charlemagne and the Cæsars, he seems to have been dazzled by floating visions of universal dominion. In his earlier days, before he had given the reins to an all-grasping and insatiable ambition, he had acquiesced in the ancient theory of a twofold Sovereignty,—two co-ordinate principles of government,—each supreme in its own sphere, the Priesthood and the Empire. He had declared himself convinced of the necessity and advantage of an organised spiritual authority located at Rome, and fully determined to support it. "For the government of souls," he said, "it is the best and most beneficent institution that can possibly be imagined. It rests on a profoundly wise idea, and prevents disputes, so far as they can be prevented, considering the disputatious nature of man. This government is far away from Paris, and we ought to be glad of it; it is not at Vienna, it is not at Madrid, it is at Rome; and that is the reason which makes it acceptable." Moreover, he was not opposed, at that date, to the immemorial tradition which had annexed a certain portion of secular territorial authority to the spiritual headship of Christendom. He had repeatedly acknowledged with every appearance of sincerity the rights of the Pope to the Patrimony of St. Peter, and had guaranteed them at his coronation. But in proportion as his power increased, his views became widely different. He began to look upon the temporal power of the Pope as an obstruction to his policy, an indefensible anomaly in the affairs of Europe. He had obtained from Rome all that he coveted, and more than he had any legiti-

* Artaud, *Vie de Pie VII.* tom. ii. chap. xxvi.

mate right to expect, in the way of solemn recognition and religious sanction; and he proceeded forthwith, at first covertly, at length avowedly, to curtail and extinguish its independence. In October 1805, without previous communication with the Roman Government, he suddenly seized and occupied the port of Ancona, under the futile pretext of preserving it from possible aggressions by the English and the Russians. The Pope protested with dignity against this violation of his neutrality, which placed him in a suspicious position in the eyes of Catholic princes, and gave rise to the belief that he was acting in unworthy collusion with the French Emperor. He threatened to break off diplomatic relations with France unless Ancona were at once evacuated. Napoleon, proudly elated at the full tide of his marvellous successes, now raised the mask which had hitherto concealed his purposes. In his tardy response, dated from Munich in January 1806, he declared that he had occupied Ancona in his capacity of Protector of the Holy See.* "I considered myself, after the example of *my predecessors* of the second and third race, as the eldest son of the Church, as bearing the sword for the express purpose of protecting it, and shielding it from profanation at the hands of heretics and Mussulmans. I shall be the friend of your Holiness whenever you are pleased to consult your own heart and the true friends of religion. If your Holiness thinks proper to dismiss my minister, you are at liberty to do so; you are free to welcome in preference the English or the Caliph of Constantinople; but I will not expose Cardinal Fesch to these insults; I will replace him by a layman. God is judge as to which of all reigning sovereigns has done most for religion." To his uncle the Cardinal he writes still more explicitly. "Tell Consalvi, and even tell the Pope himself, that since he purposes to expel my minister from Rome, I may think it

* *Correspondance de Napoléon* I^er^, tom. xi. p. 527.

proper to go thither in person and re-establish him. In regard to the Pope I hold the place of Charlemagne, because, like Charlemagne, I have annexed the crown of France to that of the Lombards, and my empire extends to the confines of the East. Let him regulate his conduct towards me upon that principle. I will make no change in my policy, if he behaves himself well; but otherwise I will reduce the Pope to be bishop of Rome." *

It was in vain that Pius strove to appease the Emperor's wrath by assuring him that he had never thought of dismissing the French ambassador; that his sole object was to demonstrate to the Russians that Ancona had been occupied altogether without his consent. Napoleon soon gave him to understand that his policy with regard to Italy was fully and finally determined on; and that if he (the Pope) desired to retain in any sense his temporal sovereignty, he could only do so by accepting the position of a dependent vassal of France. "Your Holiness," he wrote, "may escape your present embarrassments by following a straightforward course, and not paying too much consideration to governments which as respects religion are heretical, and in a political point of view are remote from your dominions, unable to protect you, yet capable of doing you injury. All Italy must be subject to my will. I will not attack in any way the independence of the Holy See; but there must be this understanding between us, that your Holiness will observe the same deference to me in temporal matters that I exhibit towards you in things spiritual. *Your Holiness is Sovereign of Rome, but I am its Emperor.* All my enemies ought to be yours. I shall always preserve for your Holiness, as the head of our religion, that filial attachment which I have shown under all circumstances; but I am responsible to God, who has been pleased to make use of my arm for the restoration of religion.

* *Correspondance de Napoléon* Ier, tom. xi. p. 529.

And how can I without grief behold it compromised by the delays of the Court of Rome? I am willing to accept the support and co-operation of men truly zealous for the cause of religion; but if Rome passes its days in torpor and criminal indolence, I, who am bound to watch over the interests of religion, cannot remain indifferent to that which may have such pernicious results upon the welfare of my people."* The Emperor wrote on the same date to Cardinal Fesch, with orders to demand that all English, Russian, Swedish, and Sardinian sojourners at Rome might be expelled, and that all shipping belonging to those nations should be excluded from the Roman ports.

The Pope was not intimidated. His reply was courageous, and proved that he was prepared to encounter all risks rather than abdicate his independence. He pointed out that it was essential to the interests of religion that he should preserve neutrality amid the conflicts of the various nationalities of Europe. To expel from Rome the subjects of all sovereigns who might happen to be at war with France would be to cut them off from communication with the centre of Catholic unity; and it was impossible that the common father of the faithful should sanction, much less initiate by his own will, a step of which the result would be thus calamitous. "There are millions of Catholics in the Russian empire; there are millions in the countries subject to England. They all enjoy the free exercise of their religion, and are protected by authority. It is impossible to foresee what might happen if these sovereigns should feel themselves aggrieved by acts of provocation such as the expulsion of their subjects from Rome, and the forcible exclusion of their commerce from our ports."

With regard to the pretensions of Napoleon to the character of Emperor of Rome, the Pope represented, with "Apos-

* *Correspondance de Napoléon* I^er^, tom. xii. p. 40.

tolic freedom," that such a claim was altogether destitute of foundation. The Pope, whose sovereign rights date further back in the page of history than those of any other monarch upon earth, had never recognised, and never would recognise, any authority at Rome superior to his own. "Your Majesty is infinitely great; you have been elected, crowned, anointed, acknowledged Emperor of the French, but not Emperor of Rome. There does not exist an Emperor of Rome; none can exist, unless the sovereign authority of the Pope has been previously abrogated. Charlemagne found Rome in the hands of the Popes. He recognised and confirmed their dominion, and augmented it by fresh endowments; but he never attempted to exercise any supremacy over them, or even to treat them as nothing more than temporal princes. The principles laid down by your Majesty cannot be supported, nor can we admit the consequences which you desire to draw from thom. We cannot allow that we are bound to observe the same deference towards your Majesty in temporal things that you owe to ourselves in things spiritual. Spiritual objects do not admit of a greater or less degree of deference. Their obligation is of divine right, and they are therefore not susceptible of comparison with affairs of secular duty. Nor can we accept the second consequence propounded by your Majesty,—that all your enemies ought of necessity to become ours. According to this theory, the Pope would manifestly cease to be an independent sovereign; and, moreover, it is directly opposed to the character of our Divine mission, which knows no enmities, not even in respect of those who are unhappily separated from the Church. It would lead to a constant disturbance of the bonds of union which exist between the Apostolic See and all the princes of Catholic Christendom; for whenever any one of them might go to war with France, it would be necessary for us to treat him as an enemy." The Pope concluded by expressing his hope that the Emperor would acknowledge the force of these

just and reasonable considerations; but if unfortunately it should be otherwise, he committed himself wholly to the hands of God, and was prepared to endure any sufferings rather than fail in his duty, contravene his oaths, and betray the cause of religion and the welfare of his subjects.

"It must be clear," says Cardinal Consalvi, "to all persons who by carefully studying the facts of recent history have learned to appreciate the character of the Emperor Napoleon, that a refusal so positive and so contrary to his designs was the real cause of his definitive rupture with the Holy See, and with the minister who was mainly responsible for its policy, that is to say, myself." * Such, undoubtedly, was the true interpretation of the mistaken enterprises which Napoleon embraced at this critical point of his career. No sooner did he perceive that, in spite of his imperious assumptions and vague menaces, he had no prospect of obtaining the concurrence of Pius VII. in his aggressions upon the rights and independence of the nations of Europe, than he resolved, without further hesitation, to take measures for putting an end to the temporal authority of the Popes. An answer was forwarded, through Talleyrand, to the effect that "his Majesty saw with regret the spirit which animated the Court of Rome, and found it impossible to discover the motives which induced it to follow such a system—a system which would infallibly result in its being deprived of the territories and advantages which it had recovered by the friendly offices of France, and which it could not hope to retain except by virtue of the good-will of the Emperor."

None of the demands already urged, however palpably unjust and unreasonable, were in the slightest degree withdrawn or modified. It was again laid down, as a primary principle, that the Sovereign Pontiff, in virtue of the position in which he stood towards the Emperor, must recognise

* *Mémoires du Cardinal Consalvi*, tom. ii. p. 438.

and treat as his friends and his enemies those who were the friends or the enemies of the French nation; that he must make common cause with Napoleon in all his wars, and adhere without reserve to his whole political system. As a further reason why such relations were henceforth indispensable, Talleyrand pointed to the fact that his master's victories had placed in his hands supreme dominion throughout the Italian peninsula, with the sole exception of the Ecclesiastical States. Consequently it would be inconsistent with his interests to permit the existence of another government contiguous to his frontier on both sides, which refused to adopt his system and obey his laws. It was signified in this note that an immediate categorical reply was expected to the propositions now submitted to the Holy Father; which reply would be held decisive as to the future fortunes of the Papacy, and especially as to the Temporal Power.

The Pope's courage proved equal to this fresh emergency; he declined to sanction the slightest deviation from his declared principles. "Our reply," says Consalvi, "was neither short, nor ambiguous, nor feeble. It stated that the Pope, being the common head and father of the whole Church, could not consistently enter into a permanent confederacy with any individual sovereign, or accept either allies or enemies at the dictation of any one Government for the advancement of its special interests. We enlarged on the incalculable evils which would result from the dependence of the Roman Pontiff upon any merely secular authority; and we remarked that the Emperor was already in possession of all the substantial advantages which he professed to expect from an alliance offensive and defensive with the Holy See, and that in spite of the most vehement and persistent remonstrances on the part of the Pope."

From this point the grounds of mutual irritation became more and more ominously multiplied, and portended a speedy explosion of hostilities. The Emperor had conceived

a violent animosity against Cardinal Consalvi, whom he accused of instigating the Pope to resistance, and of striving by various malicious intrigues to exasperate the people of Rome against France. Thereupon the Cardinal, profoundly wounded, and shrinking from the responsibility which would naturally attach to him in case of a definitive breach between the Holy See and the French Emperor, resolved to retire from office. He had already more than once tendered his resignation, but the Pope had declined to accept it, alleging, independently of his strong personal attachment to this favourite minister, that if he should take such a step at a moment of extremity, Napoleon would attribute it to fear and weakness, and would only become more peremptory in his political demands. He yielded ultimately to Consalvi's solicitations, chiefly with a view to convince Napoleon that the refusal to meet his wishes was not inspired by the Cardinal, but dictated by his personal sense of duty. It was hoped that the sacrifice thus made of a Secretary of State whom the Emperor was known to regard as his determined adversary would soften the mortification of the negative response. It was arranged, therefore, that the same courier who conveyed to Paris the Pope's resolution to maintain his own policy without further concession should announce in addition the Cardinal's relinquishment of office and the appointment of his successor. His Holiness stated, in his despatch, that he was well aware of the extreme antipathy borne by the Emperor to Consalvi, and that he was looked upon by the French Government as the enemy of France; but all this arose from misrepresentation and malicious invention. Nevertheless, in order to prove to his Majesty his earnest desire to keep up harmonious relations with himself and with France, the Pope had at length reluctantly consented to forego the Cardinal's services, and had authorised him to quit his post in favour of Cardinal Casoni.*

* *Mémoires du Cardinal Consalvi*, tom. ii. pp. 477–80.

It was too late, however, to expect that any such palliative measures could be substantially successful. The strife became intensified during the year 1807; and the details of unscrupulous usurpation on the part of France, to which the helpless Pontiff opposed no other resistance than that of dignified remonstrance, occupy a conspicuous place in the historical annals of the time. At last, upon the rejection of an ultimatum from Paris, which demanded, among other things, that the number of French Cardinals should be augmented so as to form a third part of the whole Sacred College, a division of the French army suddenly entered Rome, disarmed the guard at the Porta del Popolo, took possession of the Castle of St. Angelo, and planted a battery in front of the Quirinal Palace, the abode of the Holy Father (February 2, 1808).

It was the Feast of the Purification. The Pope was officiating in the private chapel of the Quirinal, assisted by numerous members of the Sacred College. The ceremony passed in perfect tranquillity; and when it terminated, "the French officers," says Cardinal Pacca, "were considerably astonished to see the Cardinals immediately enter their carriages and take their departure, without showing the slightest trace of emotion in their countenances."

CHAPTER XIII.

WHILE passing in review the train of events which placed the Emperor in an attitude of positive antagonism to the Holy See, and led to the establishment of a foreign garrison in the heart of Rome, we may seem to have wandered beyond the sphere of our immediate subject. But in point of fact the memorable conflict waged between the Temporal and the Spiritual authority during the reign of Napoleon was closely interwoven with the domestic policy and internal administration of the Gallican Church. From the moment when his ascendency became so decisively developed and consolidated, the Emperor had shown symptoms of a general disposition, not indeed to absorb or abolish the spiritual element in Church government, but to subjugate and enslave it. He seems to have cherished the dream of a vast European dominion, in which he was to govern the consciences of his subjects through the vassalage of the Pope and the bishops, while he controlled them physically by the power of the sword. His object was to reap all the advantages of this double supremacy, without making himself ridiculous and odious by any direct assumption of authority in things spiritual. The opposition offered by Pius VII. served only to make him more inflexible in preparing the measures for carrying out his scheme. To transfer the residence of the Head of the Church from Rome to Paris or some other locality in France,—to insist upon his

adopting the distinctive principles of Gallican theology,—to endow him with an ample revenue,—to obtrude upon his councils,—to maintain a perpetual surveillance over his motions,—and thus to dictate the movements of the Church under the borrowed sanction of his name,—such was Napoleon's deliberate programme at the apex of his fortunes—a programme which he lacked neither the power nor the audacity to execute. He relied for co-operation on the weak subserviency of the Gallican episcopate; the leading members of which at that time were men so dazzled by the splendour of the imperial exploits, so profoundly sensible of the benefits which they enjoyed under the existing *régime*, that they were prepared to strain allegiance to its furthest limits in indorsing his plans and giving effect to his enterprises.

The promulgation of the so-called "Catéchisme de l'Empire," in the spring of 1806, was one of the earliest opportunities seized by Napoleon for asserting the quasi-religious rights with which he claimed to be invested as an anointed Catholic sovereign. The Government had ordered that, whereas hitherto several different catechisms had been in use in different localities, one such formulary should henceforth be exclusively authorised throughout the Gallican Church; and, after a comparison of the existing documents, the preference was given to one which bore the honoured name of Bossuet. This Catechism underwent certain alterations under the superintendence of the legate Caprara and a committee of French divines; and was then forwarded to the archbishops and bishops, with directions to adopt it in their dioceses without delay. It was not submitted previously to the judgment of each member of the hierarchy, "because," says Jauffret, "the Government thought that they would not be able to agree as to the method of drawing it up, even supposing that there was no difference among them as to the substance of the doctrine inculcated, which at that time

was extremely doubtful." * The Minister of Public Worship, Portalis, stated, in his report to the Emperor, that the work of Bossuet had been strictly followed as to general teaching; slight changes had been made in the distribution of subjects; a few obsolete expressions had been omitted; a few questions had been excluded which were important in their day, but which could no longer be practically useful. Other topics had been introduced which in consequence of present circumstances required clear and ample development, whereas in the time of Bossuet they were never discussed. "Your Majesty will find a specimen of these in the explanation of the duties of subjects." †

The revised Catechism was freely criticised as soon as it appeared, and special objection was taken to the length and minuteness of the chapter on the obligations of subjects towards the sovereign, which in former catechisms had been treated with great brevity. Upon this point the Emperor himself imparted his ideas to Portalis. To the question, "Is submission to the Government of France a dogma of the Church?" he suggested that the reply should run as follows: "Yes; Scripture teaches that he who resisteth power resists the ordinance of God. Yes, the Church imposes upon us special duties towards the Government of France, the protector of religion and of the Church; she commands us to love and cherish it, and to be ready to make any sacrifice in its service." It was represented to him that such language would be inconsistent with the Catholic character of the Church; that since its teaching belongs to the universal brotherhood of nations, it could not be described as having any particular application to one of them more than to another. The Emperor allowed the force of this objection, but insisted that at all events he himself and his dynasty should

* Jauffret, *Mémoires Ecclésiastiques*, tom. ii. p. 159.

† "Rapport sur le projet d'un Catéchisme uniforme par tout l'Empire," 11 Mars 1806. *Discours et travaux de Portalis*, p. 265.

be distinctly mentioned in that part of the Catechism. A separate chapter was accordingly devoted to this department of Christian duty. It declared, in the seventh lesson on the fourth (fifth) commandment, that "Christians in general owe to sovereign princes, and the French in particular to their Emperor Napoleon I., love, respect, obedience, fidelity, military service, and the usual imposts for the defence of his throne; they are bound, moreover, to offer fervent prayers for his welfare, and for the spiritual and temporal prosperity of the State." To the further question "Are there not peculiar motives which ought to attach us more strongly to our Emperor?" the reply is: "Yes; for God raised him up under difficult circumstances to be the restorer of public worship and of the holy religion of our fathers. He has re-established and preserved public order by his profound wisdom; he defends the State by his powerful arm; he has become the anointed of the Lord by the consecration which he received from the Sovereign Pontiff, the head of the universal Church." The teacher proceeds: "What is to be thought of those who fail in their duty towards the Emperor?" to which the pupil replies: "According to St. Paul, they would be resisting the ordinance of God Himself, and would render themselves worthy of eternal damnation." Several bishops ventured to express their disapprobation of this latter paragraph. It was a misinterpretation of St. Paul, they said, to explain his words as denouncing everlasting punishment for failure in civil obedience. The Apostle alluded only to those temporal penalties which would justly be incurred by such misconduct.* The Emperor, however, contended that, since these duties were matters of Divine precept, it was right that those who neglected them should be declared liable to the punishment with which God threatens all who despise His commandments; sins of that

* Jauffret, *Mémoires Ecclésiastiques*, tom. ii. pp. 162–65.

kind were manifestly violations of the Divine law; and it was certain that every such wilful or mortal transgression exposed the sinner to eternal perdition.

The Catechism was at length published, accompanied by an official certificate of approbation from Cardinal Caprara, the representative of the Apostolic See. He stated that, having examined it carefully, he was convinced that the principal points of the Christian religion were there expounded in a manner entirely agreeable to the doctrine of the Catholic Church; he therefore formally approved it in virtue of his legatine authority, and recommended it to the bishops of the Empire for general use.

We are informed, however, by M. de Haussonville, that the step thus taken by the Cardinal was unauthorised by the Pope, and indeed contrary to his instructions.* His Holiness had intimated that he could not admit the right of a secular Government to compose a Catechism and to dictate to the bishops as to their use of it in their dioceses; he could not but regard such a proceeding as injurious to the whole episcopal body. The Divine Founder of Christianity had confided to His Apostles and their successors the bishops, and to them exclusively, the power of religious teaching; and those who possessed that power had also power to choose and prescribe the method to be followed in teaching. A single word might have great influence upon the substance of doctrine; single words had in times past occasioned grave disputes which could not be terminated except by the definitions of General Councils. Still less was it possible that his Holiness should tolerate in silence a Catechism which had been adapted to the spirit of the age, which he regretted to observe was too commonly a spirit of irreligion, unbelief, or at the best, of innovation and indifference. In that part of the Catechism which had been transmitted to him he per-

* De Haussonville, *L'Église Romaine et le Premier Empire*, tom. i. p. 273, 3rd edition.

ceived many misstatements and defects, many things which required correction. Moreover, he was by no means disposed to do what had never been done by any of his predecessors, namely, to prescribe to the bishops of a whole nation the usage of one and the same Catechism for the instruction of children, and to forbid them to exercise their own discretion in such a matter, according to their views of the requirements of their dioceses.

Caprara appears to have taken no notice of these admonitions; and he sent no further information to Rome as to the forthcoming Catechism until the decree enjoining its use throughout the empire had been actually published. The Pope was naturally indignant at such treatment, and remonstrated with the Legate; but he refrained from making any formal complaint to the Imperial Government. Doubtless he was not disposed to add to the disputed questions already pending between himself and Napoleon—questions which were every day assuming greater gravity. The Catechism, in consequence, went forth into the world invested with a semblance of Pontifical authority which it by no means really possessed. A circumstance occurred at the last moment which led to its being modified in one particular of some importance, in a sense opposed to the prepossessions and wishes of the Emperor. Cardinal Fesch had lately been recalled from his post of French Ambassador at Rome. On his return to Paris he consulted one of the most eminent of the Gallican clergy, the Abbé de Boulogne, as to the merits of the new Catechism; and learned that, by the Emperor's desire, the dogma that "beyond the Church there is no salvation," which had hitherto formed part invariably of every such formulary, had been expunged from the recent compilation. The Cardinal, a zealous champion of the extreme type of Roman theology, instantly hurried to St. Cloud, and expostulated with his nephew upon an omission which could not but give serious offence to the largest and

most influential section of the clergy of France. The particulars of this interview did not transpire; but M. Jauffret acquaints us with the result. "The head of the Government," he says, "was extremely anxious that the new Catechism should be received with general favour, on account of the chapter which related to himself: he therefore gave orders that the omitted passages, the absence of which might have exposed the entire work to suspicion and discredit, should be restored, without excepting the phrase 'outside the Church there is no salvation,' a doctrine which the editors had thought it right to express in different language. The satisfaction thus obtained by the intervention of Cardinal Fesch contributed greatly to the general success of the measure. The Minister of Public Worship admonished the bishops to exercise the utmost discretion in introducing the new Catechism in their dioceses. This was not to be done by peremptory constraint, but with wise consideration of the circumstances of the time and the dispositions of men's minds. The faithful had been disturbed by malicious rumours that an attempt was being made to innovate dangerously upon the venerable doctrine and discipline of Catholic antiquity; the important point was to prove to them, by calm and patient reasoning, that such imputations were totally groundless." *

From the commencement of the declared feud between Napoleon and Pius VII.—dating from the occupation of Rome by the troops of General Miollis in February, 1808,—it was clear that the Church of France must sooner or later be involved in the conflict; and it was clear, moreover, from what source its difficulties would arise, namely, from the collision between its civil obligations to the Emperor and the spiritual bonds which united it to the See of Rome. Napoleon's acts of despotic violence, both against the political independence

* Jauffret, *Mémoires Ecclésiastiques*, tom. ii. pp. 166, 167.

and the person of the Pope, encountered in France an opposition upon which he had little calculated, and which was not without its influence upon his ultimate fate. The struggle originated in one of the most important articles of the Concordat—that which provided that the prelates nominated by the Sovereign should be instituted to their office by the Pope. That prerogative, it will be recollected, had been suppressed by the Revolutionary Constitution Civile du Clergé; and it was principally for that reason that that ill-advised scheme of reformation had been so sternly anathematised by the Holy See. A memorable precedent in the reign of Louis XIV. had shown how formidable a weapon was placed by that regulation in the hands of the Roman Pontiff, whenever it might be found necessary to contend against encroachment or injurious dealing on the part of the State.* Pius VII.—driven as he was from his capital, dispossessed of his territories, separated from his Cardinals, confined and strictly guarded at Savona, a small town of Northern Italy then belonging to France—resorted, not unnaturally, to the defensive arms employed by his predecessors. As often as a French see fell vacant, he declined to institute the successor appointed by the Emperor. It was a penalty deliberately inflicted upon a particular diocese, by depriving it of the ministrations and guidance of a chief pastor, for the purpose of compelling the civil ruler to satisfy the Pope on other topics which might be at issue between them at the time.

A formal application was made to the imprisoned Pope in August, 1809, by the archbishop of Tours (by desire of the Minister of Public Worship), entreating him not to defer longer the grant of institution to the bishops-designate. He assured him that the Emperor sincerely desired that the vacant sees should be filled in accordance with the principles of the Concordat; and that nothing should be omitted in

* See *History of the Gallican Church*, vol. ii. pp. 54, 55, 424, 426.

the customary formalities of notifying the appointments to the Apostolical Chancery, and humbly soliciting the sanction of his Holiness as necessary to their being carried into effect. A refusal, he added, would assuredly lead to serious evils. His Majesty had no wish to do anything which might renew the calamities of schism in France; but it was easy to foresee the extremities to which he might be driven if no steps were taken to terminate the widowhood of so many episcopal sees. The force of public opinion might become such as to oblige him to fall back upon the discipline of the early ages for instituting bishops, in the absence of any other available expedient for overcoming the difficulty.*

The Pontiff replied, in substance, that in the existing state of relations between himself and the French Government it was impossible for him to accede to this appeal. He could not admit that one guilty of such culpable conduct towards the Head of the Church possessed the right to nominate bishops, or was in a fit position to exercise it. In an affair of such importance it was essential that the Pope should have the assistance of his legitimate councillors, whereas he was now deprived of their society, and unable to hold free communication with any one of them; even the services of his secretary were withheld from him; and in this state of things he could only pray that God, who has all hearts at His command, would guide Napoleon into a wiser course.†

The aged Cardinal de Belloy, archbishop of Paris, departed this life in June, 1808. After an interval of some months, the Emperor, anxious to place in that position a prelate upon whose devotion to his person and interest he could thoroughly depend, named his uncle Cardinal Fesch,

* *Fragmens relatifs à l'histoire ecclésiastique du xixe siècle*, p. 81, by Mgr. de Barral, archbishop of Tours. Paris, 1814.

† Jauffret, *Mémoires Ecclésiastiques*, tom. ii. pp. 309, 310.

archbishop of Lyons, to the vacant dignity. The Cardinal accepted the appointment, but begged to be permitted to retain the see of Lyons in conjunction with that of the capital; "either because he was unwilling to sacrifice the certain for the uncertain, or because he did not acknowledge the right of his nephew to dissolve his connection with his former charge." * Fesch enjoyed considerable influence and popularity among the clergy, both by reason of his personal merits and of his near relationship to Napoleon; the Chapter of Notre Dame welcomed him with great satisfaction; the whole capitular body, headed by the grand-vicars, waited on him with an address of congratulation, and invited him at the same time to undertake the administration of the diocese in the interval before his institution.

An ancient principle of ecclesiastical jurisprudence had assigned the diocesan administration, during the vacancy of a see, to the cathedral Chapter; who delegated one of their number to exercise it with the title of Capitular Vicar. It appears that at an early date the French Chapters, as a matter either of convenience or of courtesy to a newly appointed superior, adopted the practice of nominating the bishop-designate himself to the office of Capitular Vicar; thus placing the jurisdiction in his hands before he had received canonical institution from the Pope. When in process of time discord arose between the spiritual and the temporal authority, and Rome refused the bulls of institution to the nominees of the sovereign, this expedient was made useful as a means of dispensing with the ministry of the Roman Pontiff altogether; the bishops, though unconsecrated, eluding the necessity of any application to the Roman Pontiff, and continuing to govern their dioceses in the character of vicars capitular, with the exception of the duties of ordination and

* Caussette, *Vie du Cardinal d'Astros*, p. 169.

confirmation, which they were unable to execute. The abuse was exposed and condemned by the Second Council of Lyons in 1274; which forbade a bishop-elect to assume, either in things temporal or spiritual, the episcopal administration under any title or pretence whatever, until his election had been confirmed by the Pope. This canon, like so many others, had in the course of ages fallen into desuetude; and the usage above described had become more or less general throughout the Church of France, in ignorance or forgetfulness of the fact that it contravened the decree of a General Council.

It is at this point of our narrative that we first meet with the name of the Abbé d'Astros; which was destined to figure in a page of no small importance and celebrity in the ecclesiastical annals of France. He was born at Tourves in Provence, in 1772, and was nephew on his mother's side to Count Portalis, Napoleon's confidential Minister of Public Worship. From his youth upwards he was remarkable for a character of religious firmness, consistency, and integrity, beyond his years. Nurtured in principles of the most absolute devotion to Catholicism and the supreme authority of the Holy See, he had incurred suspicion and even danger during the tyranny of the Revolution, and had exhibited in trying moments a calmness of faith and an unflinching courage which marked him out as the instrument of future services of still greater value to the Church. He had taken part, under the eye of his uncle, in the laborious arrangements of the Concordat, and had suggested the names of many of the prelates appointed under the new circumscription. He had acquired the entire confidence of Cardinal de Belloy, who preferred him first to a canonry of Notre Dame, and next to the post of Vicar General of the diocese of Paris. Upon the death of the Cardinal the Chapter at once elected D'Astros their Vicar Capitular; and he thus found himself, at the age of thirty-five, charged

with the chief responsibility in the provisional government of the diocese.

D'Astros had carefully studied the whole theory and history of episcopal jurisdiction, and was fully convinced that the prevailing custom was unlawful. He imparted his views to Cardinal Fesch; and that prelate, though not without ambition, and deeply conscious of his obligations towards the Emperor, resolved in consequence to decline the administration of the diocese of Paris, to which he had been invited by the Chapter. We are told that at an interview at Fontainebleau Napoleon laid his express commands upon the Cardinal to take possession of the archbishopric. "Sire," returned the latter, "I must wait for canonical institution from the Holy Father." "But the Chapter has granted you powers." "That is true, but I dare not make use of them under present circumstances." "You condemn, then," resumed the Emperor, becoming irritated, "the bishops of Orleans, St. Flour, Asti, and Liège?" (who had recently taken the prescribed course). "I shall find means, nevertheless, to force you to comply." "Sire, *potius mori*." "Ah! ah!" exclaimed Napoleon, misunderstanding him either seriously or in derision—"potius mori! you would rather have *Maury*? Very well, you shall have Maury." And without a moment's delay Cardinal Maury was summoned to the imperial cabinet, and curtly informed that he was nominated archbishop of Paris. Unhappily for his reputation, Maury accepted the post without scruple, and immediately did personal homage to the Emperor in that character. He proceeded to announce his elevation to the Pope; whereupon Pius replied by a brief refusing to grant him institution, reprimanding him for having abandoned his Italian diocese of Montefiascone, and enjoining him to relinquish forthwith his indefensible position, upon pain of being prosecuted according to the canons. Maury, however, maintained his ground, in unseemly contradiction to his memorable antecedents in the days of the

Constituent Assembly, when he so manfully perilled liberty and life as the champion of the persecuted clergy. The Chapter of Notre Dame, having received express commands to that effect from the Emperor, elected him Capitular Vicar, and he took that opportunity to declare emphatically his profound attachment and submission to the See of Rome. "I have no intention," he said, "to ascend the episcopal throne of Paris unless the Pope himself should take me by the hand to place me there." * But after a short interval the Government required him to assume without delay the title and functions of archbishop; and he obeyed with alacrity.

It was now that he found himself hampered and thwarted by the steadfast opposition of the Abbé d'Astros. On the occasion of an ordination, Maury demanded of a young candidate on whom he was about to lay hands the usual promise of canonical obedience to himself as archbishop of the diocese. D'Astros interfered, saying in a loud voice, "Monseigneur, permit me to observe that you have no right to require of him that promise." On a great festival the Cardinal had given directions that the archiepiscopal cross should be borne before him; this was the recognised symbol of a jurisdiction which he had not yet lawfully received. D'Astros ordered the cross-bearer to return to the sacristy. Whenever the Cardinal entered the choir to take part in any function in the character of ordinary, the Abbé d'Astros immediately retired, in order to avoid the appearance of conniving at the irregularity. In short, he lost no opportunity of exhibiting publicly the essential difference which existed, in his view, between a chief pastor legitimately invested with the jurisdiction and mission of the Church and a mere pliant instrument of the civil power, usurping prerogatives to which he had no just title.

The Pope, though his condition was not generally known,

* Caussette, *Vie du Cardinal d'Astros*, p. 17

was at this period a prisoner of state at Savona, cut off from all open communication with the Church, and debarred from the exercise of his ministry. Access to him was only to be had by stealth, and at the risk of punishment if discovered. The Abbé d'Astros, however, could not satisfy his conscience without seeking direction from the highest authority; and in concert with confidential friends he organised a system of correspondence with the Holy Father, which for a time eluded all the researches of the imperial police. It was carried on by the personal services of a body of young men, for the most part belonging to the higher class, who conveyed the despatches on foot across mountains and rivers, avoiding the great roads and populous towns, and shrinking from no sacrifice for the safety of the undertaking. In this way a copy of the Pope's brief addressed to Cardinal Maury reached the hands of the Abbé d'Astros, who communicated its contents, though with extreme caution, to the religious society of Paris, in order to enlighten them as to the true position of their new archbishop. Rumours of the sentence pronounced by his Holiness soon became rife in the capital, and excited to a violent pitch the indignation of Napoleon, who felt his cause to be identical with that of the condemned Cardinal. Searching inquiries were instituted to discover the correspondents with Savona, but in vain. D'Astros was already an object of keen suspicion to the Government, but there was no proof forthcoming upon which to found a charge against him; it was resolved, however, that as soon as opportunity offered he should be prosecuted as a dangerous agitator. To the result the reader's attention will be called hereafter.

The troubles of the Church were rapidly increasing. Twenty-seven sees were now vacant by reason of the Pope's obstinate refusal to grant the bulls of institution. The Concordat prescribed no limit to the duration of that prerogative; and Pius was clearly resolved to abstain from

all the duties of the Pontificate with respect to the Gallican Church until he had recovered his personal freedom and independence of action. Under these circumstances, Napoleon resolved, before proceeding further, to make an appeal, at least ostensibly, to the judgment of the National Church; and he appointed, in November 1809, an Ecclesiastical Commission, consisting of Cardinals Fesch and Maury, the archbishop of Tours, the bishops of Nantes, Evreux, Trèves, and Vercelli, the Abbé Emery, and Father Fontana, General of the Barnabites, and laid before them a triple series of questions, some of which concerned the Universal Church, some were peculiar to the Church of France, while others related to the details of the present emergency.* The choice of these Commissioners was on the whole unobjectionable. The two Cardinals could not well be passed over on such an occasion. The archbishop of Tours, De Barral, was deeply versed in Canon Law. The bishop of Nantes, Duvoisin, was an accomplished theologian, and an author of no mean reputation; and the bishops of Evreux and Trèves were prelates of more than average intelligence and ability. But the weightiest name, beyond comparison, was that of the Abbé Emery. His saintly character, and the pre-eminent wisdom which he had displayed as the guide and oracle, not only of his own community, but of the clergy in general, throughout the storms of the Revolution, had invested him with the unbounded confidence and veneration of the Catholic world. His inflexible honesty in matters of principle was known to none better than to the Emperor himself, who habitually consulted him, three times offered him a bishopric, and respected him all the more for his apostolic, but uncourtier-like, plainness of speech. "M. Emery," said Napoleon, "is the only man that I am afraid of." "He is one who could make me do whatever he pleased, and perhaps more than I

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* *Correspondance de Napoléon* 1^er^, tom. xx. pp. 111, 113

ought to do."* It was not without great reluctance that Emery took part in the labours of the Commission; but he feared to offend the Emperor by excusing himself, lest he should provoke vindictive measures against the Seminary and Company of St. Sulpice. "I shall speak my mind frankly," he writes to the bishop of Alais, "but perhaps not with impunity. Most thankful should I be for any illness which might attack me under present circumstances, even if it should carry me off. I begin to be weary of my life." †

The first question proposed to the Commission for examination was this:—"Is the government of the Church arbitrary?" To which they replied, in substance, that the power of governing the Church given by our Lord to the Apostles, and to St. Peter in particular, descended to their successors; but always in subordination to the Chair of St. Peter, which is the perpetual source and centre of unity. Nevertheless the authority of the Church is not arbitrary, but must be exercised in accordance with the Canons, that is, with the common law of the whole Church. In matters of faith, Holy Scripture, tradition, and the decisions of Councils form a standard from which the Church may not depart; and as to discipline, the rules generally approved and received are obligatory, so long as they are not altered or repealed. The decisions of Œcumenical Councils are infallible, in virtue of our Lord's promise that the gates of hell shall never prevail against His Church; but those of other Councils are not binding upon the Church Universal, unless formally adopted. It is agreed, however, that the usages belonging to National Churches, deriving their origin from ancient discipline, are in force within those churches, and constitute in some measure their common law, which ought to be respected.

The second question went straight to the special difficulty

* *Vie de M. Emery*, tom. ii. pp. 175, 176.

† *Ibid.* tom. ii. p. 237.

of the moment. "Can the Pope, from motives of a temporal nature, refuse to act in matters spiritual?" To this the Commission answered that if the temporal affairs in hand were not intrinsically allied to things spiritual, and did not preclude the head of the Church from freely discharging the functions of his apostolic office, the Pope was not authorised, solely from worldly considerations, to refuse intervention in spiritual duties. "The distance between the two classes is the same that separates time from eternity."

The third question related to the number and character of the Pope's advisers, and suggested the convocation of a Council. The Commissioners observed in reply, that if a General Council was intended, it could not be held without the presence of the Pope; in his absence it could not be general, and would not duly represent the Universal Church. If, on the other hand, it were merely a national council, it would be inadequate to regulate affairs which concerned the entire Catholic world. With regard to the composition of the Roman Consistory, they were of opinion that it ought to include prelates of all nationalities, in accordance with the express recommendation of the Council of Trent.

The second series of questions related to the Concordat. Had there been any infringement of it on the part of the Emperor or his ministers? The Commissioners pronounced that there had been no such infringement, at least not in any essential particular. Some few of the "organic articles" had indeed been complained of by the Pope as inconsistent with the free exercise of the Catholic religion; but they were simply the application or consequences of the traditional maxims and usages of the Gallican Church; from which neither the head of the Government nor the national clergy could possibly depart. Three of those articles, however, might be prejudicial to religion, if strictly enforced; and they trusted that the Emperor would be induced either to modify or revoke them. One of them

provided that the vicars-general of a deceased bishop should continue to administer the diocese during the vacancy, contrary to the ancient legislation, which placed the whole authority in that case in the hands of the cathedral Chapter. At the time of the Concordat no cathedral Chapters were in existence; since their restoration they had been permitted to exercise the jurisdiction according to ancient custom; it was desirable, therefore, that this clause of the Concordat should be suppressed.*

It was next demanded whether, since the Concordat had not been violated on the part of France, the Pope could refuse at pleasure to institute the archbishops and bishops named by the Emperor. The commissioners replied that the Concordat was a treaty or contract between the head of the Church and the head of the State, by which each party acquired certain rights and undertook certain obligations. The right of giving canonical institution was not to be exercised arbitrarily. The Pope was bound either to grant the necessary bulls or to allege in writing his reasons for refusing. He could not at his sole pleasure neglect the solemn engagement into which he had entered with France and with the whole Church; and in point of fact he had already explained the motives of his conduct, in a brief lately addressed to Cardinal Caprara. The principal cause there specified was the imperial decree of 1809, by which the States of the Church were annexed to the French Empire. Was this a canonical motive? Was it agreeable to the principles and spirit of religion? In their judgment it was *not*, because there had been no invasion of the Pope's *spiritual* authority, but only of his temporal dominion, which was merely an accident, not essential to his ministry. The Concordat stipulated nothing as to the temporal or territorial interests of the Holy See; the withdrawal therefore of that

* This was done shortly afterwards.

species of power was clearly no infraction of the Concordat. "So long as the spiritual jurisdiction of the Pope over the Church of France is acknowledged and respected, and the bonds which attach it to the centre of unity are not enfeebled, the Concordat exists in full integrity and vigour." With regard to the motives described by the Holy Father as arising from the circumstances of his present situation, the Commission stated that they had no other reply to make than to call the special attention of the Emperor to his complaints upon this head, "*in the persuasion that he would fully appreciate all their force and all their justice.*"

The next question, as to the proper course to be taken for the welfare of the Church so long as the Pope continued to violate the Concordat by refusing the bulls of institution, was embarrassing in no common degree. The Commissioners were doubtless perfectly aware that the Emperor's object was to set aside the authority of the Pope in furnishing pastors for the vacant dioceses. They knew that this was his real purpose in naming the Commission. They were afraid to thwart him, and they were equally afraid to give him entire satisfaction. In this dilemma they attempted at first to shelter themselves under the general principle that all ecclesiastical jurisdiction must emanate exclusively from the Church herself. The power to teach, to administer Sacraments, and to institute pastors, is essential to the constitution of the Church; unless she were unfettered in its exercise, she would no longer be independent and Catholic, no longer an institution fitted for all times, all countries, and all forms of political government. With regard to the mode of institution, the discipline of the Church has varied in different ages; but all such variations have proceeded from the authority and consent, either expressed or implied, of the Church herself. It was thus that the right of instituting bishops passed from the Metropolitan and Provincial Councils to the Sovereign Pontiff, and that elections by the Chapters were superseded by

nominations from the head of the civil government, in virtue of Concordats with Leo X. and Pius VII. If any further alteration should be found necessary, it was indispensable that it should first be submitted to the approval of the Church. Even if it should be thought proper to recur to any former mode of procedure, it must still be established by ecclesiastical sanction; "for," observed the Commissioners, "a law which has been abrogated is a law no longer, and cannot recover that character except by an act of the same authority which enacted it originally." They illustrated this principle by referring to the Constitution Civile of 1790. Its promoters had alleged that their object was to re-establish the discipline of the earliest Christian ages by placing the election of bishops and pastors in the hands of the people; but independently of the fact that the elections as decreed by the National Assembly differed widely from the primitive model, that assembly, being merely a political body, was incompetent to regulate matters belonging essentially to the jurisdiction of the Church without its own consent. Supposing, therefore, that it were desired, in the present case, to have recourse to the arrangements of the "Pragmatic Sanction" of the fifteenth century, this could only be done by taking counsel previously with the Church of France in its collective capacity.

The Commissioners, considering that they were few in number and unauthorised to speak in the name of the National Church, declined to give a positive opinion upon the perplexing questions at issue, but suggested that the most prudent course would be to convoke a National representative Council, in which the mind of the Church could be ascertained, and effectual remedies decided on to meet existing evils. Such had been the wise policy adopted by Louis XIV. in 1688 in the dispute with Innocent XI., when the bulls of institution were refused to all prelates who had concurred in the celebrated "Declaration" of 1682.

The Emperor, on receiving these replies, demanded whether the proposed National Council would be competent to solve finally the problem raised by the violation of the Concordat, or whether it would be necessary to appeal, in the last resort, to a still higher authority. The Commissioners evaded a direct response. They thought it probable that the Council would first address respectful remonstrances to the Pope as to the obligations imposed on him by the Concordat, and point out plainly the terrible consequences which would too surely result from a persistence in his present attitude. If he were still obstinate, the Council might ordain a rule of discipline to be in force provisionally, declaring its desire and purpose to return to the Concordat as soon as circumstances permitted. The Church of France, if abandoned by the Head of the Church Universal, had a right to preserve and perpetuate herself by recurring to the ancient jurisprudence, so long as, without her fault, the observance of the modern law remained impracticable. They considered, therefore, that the Council might pronounce that an institution given "in due conciliar form" by the Metropolitan or the senior bishop of the province would hold good instead of the Pontifical bulls, until the Pope or his successors should be willing to execute the Concordat.

The last question put to the Commission related to the celebrated bull "Quùm memorandâ illâ die," published at Rome on the 10th of June, 1809, by which the Holy Father, then on the point of being violently expelled from his seat of government, pronounced sentence of excommunication, but without specifying names, upon all who had been guilty of aggression "against the ecclesiastical immunities and temporal rights of the Church and the Holy See." The Emperor's query was thus expressed. "The bull of excommunication of the 10th of June, 1809, being contrary to Christian charity, as well as to the independence and honour of the throne, what course should be taken, in times of

trouble and calamity, to prevent the Popes from proceeding to such excessive acts of power?" The Commissioners, in their reply, argued that since the complaints of the Pope against France related only or chiefly to military or political proceedings, they did not justify the employment of spiritual censures. The decree of the Council of Trent referred to in the bull contemplated not simply disputes as to things temporal, but attacks upon the Faith and the canonical discipline of the Church; and where no offences of the latter kind had been committed, they considered that ecclesiastical anathemas could not be legitimately denounced. They observed that when, in the reigns of Louis XIV. and Louis XV., Avignon had been occupied by French troops in consequence of dissensions with the Holy See, the Popes had refrained from passing any authoritative sentence on the conduct of the sovereign. The Church had always borne in mind that the judicial power entrusted to her was "for edification, and not for destruction," and had practised the utmost circumspection in all her dealings with crowned heads. The bulls launched in former days against Philip the Fair, Louis XII., and Henry IV., had been without effect in France, because the bishops had uniformly refused to recognise and publish them. The case was the same with regard to the famous bull "In Cœnâ Domini." In conformity, then, with the example of their predecessors, and with the ancient rights and liberties of the Gallican Church, they had no hesitation in declaring that the censures contained in the bull "Quùm memorandâ" were null and void, in form as well as in substance, and had no binding power upon the conscience. If the question were submitted to a Council, they doubted not that the result would be the same, and they appealed with confidence, upon the whole case, to the memorable "Declaration of the Clergy" in 1682, which asserted that sovereigns, in all matters of political and temporal prerogative, are exempt from the jurisdiction, not only of the Roman

Pontiff, but even of the Church herself. "Kings and princes are not subject by divine institution to any ecclesiastical power as to things temporal; they cannot be deposed by the authority of the keys of the Church, nor can their subjects be released from their oath of fidelity; and this doctrine is necessary to public tranquillity, and not less useful to the Church than to the State."

It thus appears that the Commission in general displayed, as was to be expected, a cautious, prudent, accommodating spirit; and practically indorsed the policy of Napoleon in his ill-advised struggle with the Head of the Church. The Abbé Emery, however, declined to sign the conclusions arrived at by his colleagues; objecting, more particularly, to their sentiments upon the subject of the bull of excommunication. The Church, he maintained, had in all ages made use of spiritual weapons for the defence of temporal interests; to contest her possession of that attribute was to accuse her of deliberate abuse of power, and that even in the acts of General Councils. If it could be proved that the Church had no such prerogative, after claiming and exercising it so constantly, the Abbé declared that he should have no option but to become a Protestant. The preservation of the temporal power of the Holy See was by no means a matter of indifference in respect of its spiritual magisterium; the independence of the Pope as a sovereign was necessary to the proper exercise of his ecclesiastical jurisdiction. He supported his view by citing the testimony of Bossuet in the "Défense de la Déclaration." *

Emery thanked God that he had been permitted to see the operations of the Commission brought to a close without having to reproach himself with any act of weakness or unworthy compromise. But he was deeply grieved by the timeserving behaviour of the bishops with whom he was

* *Défense de la Déclaration*, part i. lib. i. sect. i. cap. 16.

associated. "Do they not see," he exclaimed, "that the Emperor's professed anxiety for measures of conciliation is only a trick to impose on simple minds, a mask to conceal his own tyranny? Let him leave the Church in quietness; let him restore the Pope, the Cardinals, and the bishops to their proper functions; let him abandon his extravagant pretensions; and everything else will very soon be arranged. And these bishops, who regard as improvements, as benefactions to the Church, the decorations and titles of nobility which he has bestowed upon them!—whither are we going?" This latter sarcasm alluded to a passage in one of the replies of the Commission, which mentioned, among the gracious acts of Napoleon towards the Church, that he had granted the decoration of the Legion of Honour to a great many prelates, had created them counts and barons of the Empire, and appointed them to seats in the Legislative Chamber and the Senate.*

Napoleon's wantonly provoked struggle with ecclesiastical authority involved him in a series of troubles which darkened and discredited the remainder of his reign. Its strange scenes were very closely interlinked. While the episcopal Commission was anxiously discussing the difficulties arising from the Pope's refusal to fulfil the provisions of the Concordat, a fresh source of agitation presented itself in the Emperor's determination to repudiate his faithful consort Josephine. It has been already mentioned that their marriage had never been solemnised religiously till the eve of the coronation in 1804, when they had been united with the utmost secresy by Cardinal Fesch, under the positive directions of the Pope. The dissolution of the civil contract between them was obtained without hesitation from the Senate in December 1809, upon the ground that the Empress was not likely to have issue to inherit the throne. But the Court of

* *Vie de M. Emery*, tom. ii. p. 243.

Vienna, before consenting to the projected alliance with an Austrian archduchess, required that the former marriage should be declared void by spiritual authority; and since there was a difficulty, under existing circumstances, in applying to the Pope for that purpose, it was resolved to refer the matter to the "Officialité," or consistory court, of Paris. That tribunal at first expressed doubts as to its own competency; since it had been the invariable custom for centuries past to reserve matrimonial causes between sovereigns to the personal judgment of the Pope. This scruple was communicated to the ecclesiastical Commission then assembled for the consideration of other questions, and it was ruled that the court possessed the necessary power. Two of the commissioners, however, Cardinal Fesch and the Abbé Emery, declined to indorse this conclusion; the former because he was a party personally concerned, having officiated at the marriage which it was now sought to annul; the latter because he had no desire to be mixed up with an affair so difficult and questionable. The case was argued immediately before the Diocesan Court. On behalf of the Emperor it was pleaded that the nuptial benediction of December 1804 had been given without the formalities prescribed by the canons, that is, without witnesses, and without the presence of the parish priest; to which a third defect was added, namely, that *the Emperor had never consented to the union*; that he had acted under constraint, and solely for the sake of satisfying the Empress and the Pope. The testimony of Duroc, Berthier, and Talleyrand was produced to prove the truth of these allegations; but on the other hand Cardinal Fesch, being appealed to, deposed that he himself had performed the ceremony under dispensing powers of ample extent granted by the Pope in person, that he had drawn up the marriage certificate in the regular form, and had placed it in the hands of the Empress. The Court deliberately disregarded this evidence, and pronounced the marriage null and

void. The superior or Metropolitical court confirmed the sentence, asserting that Napoleon had never given his serious consent to the marriage, since at that very time he was contemplating the necessity of forming a second alliance. "In other words," says M. Lanfrey, "he had deceived at one and the same moment Josephine, Cardinal Fesch, and the Pope." *

Upon the forcible annexation of the Ecclesiastical States to the French Empire in 1809, the Pontifical Government had been abrogated, and the Cardinals were deprived of all administrative functions. Napoleon, by a decree of the 23rd of November, ordered the members of the Sacred College to repair forthwith to Paris; † his object being, doubtless, to be in a position to control their proceedings in case of a vacancy of the Holy See. They obeyed, with the exception of a few who were excused by reason of age or infirmity; and twenty-nine Cardinals took up their residence at Paris in the early part of 1810. Their attention was of course immediately engaged by the delicate affair of the divorce of Josephine and the approaching union of the Emperor with the Austrian Archduchess. Upon this matter their Eminences were divided in opinion. Thirteen of them, among whom was Consalvi, considered the sentence of the "officialité" illegal and invalid, on the ground that matrimonial causes affecting sovereigns were reserved exclusively to the judgment of the Pope. Holding that conviction, they felt conscientiously precluded from sanctioning the second marriage by their presence. They had solemnly sworn to maintain in full integrity all the rights of the Apostolic See; and they were firmly resolved to brave the consequences of a strict adherence to that obligation, well knowing that in the present instance those consequences might be serious. To absent themselves deliberately on such an occasion was to wound

* Lanfrey, *Histoire de Napoléon* I^er^, tom. v. p. 189. Cinquième édition.

† *Correspondance de Napoléon* I^er^, tom. xx. p. 44.

the Emperor, as Consalvi expressed it, "in the apple of his eye." * They informed Cardinal Fesch of their intention, and by him it was reported to Napoleon. The latter was greatly exasperated, but contented himself with one remark, 'They would not dare!"

The astute Fouché, who held at this moment the formidable position of Minister of Police, exhausted all his rhetoric in combating the views of Consalvi and his colleagues. Their contemplated conduct, he pointed out, would be a political misdemeanour. It would be virtually to cast a slur upon the Emperor's coming nuptials; to contest the legitimacy of any future heir to the Imperial throne; to compromise the tranquillity of France, nay, possibly, of Europe. Consalvi calmly refuted his arguments, and exhibited a firmness of purpose for which the minister was evidently not prepared. No earthly consideration, he declared, could induce him and his twelve brethren to retract their resolution. Fouché persisted in his efforts, and even went so far as to say that the absence of the other Cardinals, though a great misfortune, would not be irreparable; but that with regard to Consalvi himself the case was otherwise. "You are too distinguished," he said; "it was you who made the Concordat; you have been the Pope's prime minister; you are so well known and so highly esteemed that it would be a dreadful thing if you were to be found among the absentees. It would make the Emperor more furious than anything else. Your weight is too preponderant in the balance."

It is interesting to find that the Abbé Emery, though he refused to attest by his signature the competence of the "officialité" of Paris, inclined to think its sentence legitimate and correct. He conceived that the alleged defects arising from the absence of witnesses and of the parish priest had not been sufficiently established. He doubted, moreover,

* *Mémoires du Cardinal Consalvi*, tom. ii. p. 493.

whether Cardinal Fesch had in point of fact demanded and obtained from the Pope such powers as would compensate for the neglect of the positive conditions exacted by the Council of Trent. Being consulted by Cardinal della Somaglia, one of Consalvi's party, Emery, while fully allowing that the dictates of conscience are not to be resisted, reminded him that on the present occasion it was doubly necessary to have a conscience rightly informed; and avowed that the received opinion that none but the Pope can take cognisance of matrimonial questions affecting sovereigns did not appear to him to rest upon decisive evidence.*

The thirteen remonstrant Cardinals absented themselves both from the civil ceremony on the 31st of March, and from the religious solemnity which took place on the 2nd of April. "Where are the Cardinals?" demanded Napoleon of the Abbé de Pradt, who acted as master of the ceremonies. "Sire, a great number of them are here," said De Pradt, pointing out the fourteen who did not share the scruples of their brethren. "No, no, they are not there," returned the Emperor in a tone of vehement irritation. "Ah! les sots! les sots!" He could scarcely command himself so as to behave with decency during the service; "and it was evident," says De Pradt, "that a tremendous storm was brewing." †

Next day the Cardinals, including Consalvi and his supporters, presented themselves at the Tuileries to take part in a grand ceremony of reception to which all persons of high dignity and official authority had been invited. "Our state of mind may be imagined," writes Consalvi, "while we waited in the grand saloon among ministers, magistrates, members of the Senate and Corps Législatif, ladies, and all the grandees of the Empire, for the arrival of their Majesties. Suddenly an aide-de-camp appeared with orders to the Cardinals who had not attended the marriage to retire

* *Vie de M. Emery*, tom. ii. p. 250 *et seq.*

† De Pradt, *Les quatre Concordats*, tom. ii. p. 440.

immediately, as the Emperor declined to receive them. The next day they received a summons from the Minister of Public Worship, who announced that they were condemned to the following penalties: their property, both ecclesiastical and private, was to be sequestrated; they were to be deprived of all the external insignia of their rank and dignity,* his Majesty no longer acknowledging their title as Cardinals; and they were to be exiled to various localities in the country, there to remain under the surveillance of the authorities. Consalvi was banished to Reims, where he was kept a prisoner till the epoch of Napoleon's fatal reverses in 1814.†

Meanwhile the captive Pontiff found means to manifest more and more clearly his determination to maintain his right to institute, or refuse to institute, the bishops nominated by the Crown. In a brief addressed to the archdeacon of Florence, he forbade the Chapter to grant the administration of that diocese to Mgr. d'Osmond, whom Napoleon had translated from Nancy; and declared any such proceeding invalid. This brief was communicated, through some mysterious channel, to Cardinal Maury and the Chapter of Notre Dame; of which, as the reader will remember, the Abbé d'Astros was Capitular Vicar. The circulation of these documents, seditious and treasonable as they were in the eyes of the Government, became a source of dismay to the police: their contents were absurdly exaggerated and falsified by popular rumour; it was affirmed that they censured the Emperor for resorting to an incompetent tribunal for the dissolution of his first marriage, and impugned by consequence the legitimacy of the second; that they were the work of a confederacy profoundly hostile to his

* Hence the distinction which prevailed for several years in France between the "Cardinaux rouges" and the "Cardinaux noirs;" Consalvi and his friends being prohibited from wearing the usual costume of the princes of the Church, and restricted to the black garments of ordinary clergy.

† *Mémoires du Cardinal Consalvi*, tom. ii. pp. 203-15.

dynasty. Napoleon's indignation was unbounded. His suspicions pointed strongly in one direction; but it was not till the last days of the year 1810 that he was put in possession of sufficient evidence to warrant criminal proceedings against the offenders. A Papal brief addressed to the Abbé d'Astros, which annulled all the ecclesiastical acts of Cardinal Maury in the quality of archbishop of Paris, was seized by the police either at Savona or between that place and the capital, and at once revealed the confidential relations which existed between the Chapter, the Capitular Vicar, and the persecuted Pontiff. A memorable scene ensued on the 1st of January, 1811, on the occasion of the official presentations at the Tuileries.

A.D. 1811. January.

Maury attended the reception, and advanced towards the Emperor at the head of his clergy. "Where are your grand vicars?" demanded Napoleon. "Here is my brother, Sire; here is M. Jalabert; and here," he added, "is the Abbé d'Astros," as the latter, who had been standing apart, came forward. The Emperor fixed on him a look of fierce resentment. "You are the man whom I suspect more than any one else in the Empire. You must be a Frenchman before all things. You must support the Gallican liberties. There is as great a distance between the religion of Bossuet and the religion of Gregory VII. as there is between heaven and hell. As for the rest" (putting his hand on the hilt of his sword), "you see I have my sword by my side; take care of yourself!" He passed hastily into his cabinet, summoned Savary, and ordered him to take D'Astros into custody. Savary scrupled to lay hands upon an ecclesiastic in his robes of office; upon which Maury, telling him that the Minister of Police wished to ask him one or two questions, offered to convey him to the interview in his carriage. "You have nothing to fear," he assured him; "you have only to protest your strong attachment to the liberties of the Gallican Church!" It was a mean and treacherous proceeding on the Cardinal's part;

prompted perhaps by vindictive spite against one who had so boldly checked and thwarted his unwarranted assumption of archiepiscopal jurisdiction. On reaching Savary's residence, D'Astros was roughly interrogated by the minister. "Are you not in correspondence with Savona?" "Holding the office of Grand Vicar, I am obliged to correspond with his Holiness respecting marriage dispensations." "That is not what I mean. Do you not correspond with him on the affairs of the day?" D'Astros had written to the Pope only once, and had received no reply; he answered consequently in the negative. "But you have seen a brief addressed by the Pope to Cardinal Maury?" "Yes, I have seen it." "Who showed it to you?" "I cannot tell you." "Oh! well, to cut matters short, here is the archbishop; offer him your resignation, and all is at an end." "I cannot do that." "Your refusal proves that you wish to be the head of a party; tender your resignation, or you are my prisoner." "Then I am your prisoner." "You would like to be a martyr, but you will not be indulged." He was afterwards informed that the Emperor was absolutely resolved to know the name of the individual from whom he had received the brief. "If you refuse to mention it, you will never see your family again, nor perhaps" (in a low tone) "the light of day." The intrepid Abbé replied, with unmoved calmness, that nothing would induce him to betray his conscience. His rooms were searched by the police for papers upon which to found further accusations, and on the 4th of January he was committed to close confinement in the fortress of Vincennes. Napoleon, in the height of his fury, threatened to have him shot; but at length contented himself with a sentence of imprisonment for life.

This was followed by other acts of passionate severity. Three of the "black" Cardinals, Di Pietro, Gabrielli, and

zoni, were arrested, and consigned, like D'Astros, to the dungeons of Vincennes. The same rigour was extended to

Mgr. de Gregorio, Father Fontana, and other ecclesiastics to whom the very slightest suspicion attached of being in any way concerned with the appearance of the obnoxious briefs.* Count Portalis (son of the late illustrious minister, who died in 1807) was publicly disgraced by Napoleon himself at the council-table. He apostrophised him in outrageous language, charged him with treason for not having denounced his unfortunate cousin, stripped him of all his appointments, and banished him forty leagues from Paris. Domiciliary visits multiplied; the friends of D'Astros hastened to save themselves by hasty flight or concealment; and for some days, we are told, the diocese of Paris was a scene of terrorism.†

In this state of things Cardinal Maury convoked his cathedral Chapter, and proposed to them, with a view to avert further extremes, which, in the Emperor's half-frantic temper, might have been fatal to the Abbé d'Astros, to revoke his appointment as Vicar Capitular, and to present an address to the sovereign, expressing their sentiments upon the whole question of diocesan administration, in terms likely to conciliate his confidence and favour. In fear and trembling they adopted this measure (which had doubtless been suggested by the Government) on the 16th of January. They lamented the misfortune of their Capitular Vicar in forfeiting his Majesty's confidence, announced the revocation of his powers, and declared themselves determined to defend, even at the peril of their lives, the Four Propositions of the clergy of France drawn up and vindicated by the great Bossuet in 1682. These principles, they asserted, had for many centuries been freely taught in the Church Catholic without incurring censure; they would never sepa-

* Napoleon describes these individuals (in a despatch to the Viceroy of Italy) as 'intermédiaires de la correspondance du Pape avec les vicaires-généraux de Paris pour semer le désordre. Ils ont été arrêtés tous,' he continues, 'avec leur papiers; il en resulte que le Pape, à la plus horrible conduite, joint la plus grande hypocrisie.'—*Correspondance de Napoléon* I^er^, tom. xxi. p. 351.

† Jauffret, *Mémoires*, tom. ii. p. 388.

rate themselves from them, since they were nothing else but the ancient canonical doctrine upon the power of ecclesiastical jurisdiction, in accordance with the Councils and the institutions of the Fathers. They proceeded to state that it was, and had been for ages, the constant usage of the Church of France that the Chapters gave to the bishops named by the sovereign all capitular powers, that is, the entire episcopal jurisdiction; and, moreover, that during the interval from 1681 to 1693, when canonical institutions were suspended on account of differences with Pope Innocent XI., it was by the wise counsel of Bossuet * that the archbishops and bishops chosen by the Crown were put in possession of the administrative government of their sees in the quality of Vicars Capitular, and exercised it without opposition or complaint.

Napoleon received the address † with marked satisfaction. He caused it to be inserted in the Moniteur, and distributed throughout the dioceses of France and Italy. Addresses of the same tenor poured in from all quarters for months together, occupying, to the amusement of the Parisians, the same space in the public journals that in former years had been devoted to the exploits of the "Grand Army."

It is almost superfluous to remark that the fervent zeal professed by the Emperor for the Gallican principles of 1682 was simply a colourable mask for the further development of his own despotism, and for the ultimate extinction of the independent autonomy of the Church. From the date of this inglorious demonstration by the clergy of Notre Dame, he showed less respect for the ecclesiastical order, became more and more brutally oppressive in his treatment of the august

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* This is very questionable. Bossuet was doubtless consulted by the crown throughout these difficulties; but there is no proof whatever that he recommended the measure actually taken. See *Vie de M. Emery*, tom. ii. p. 293.

† The address is given by Jauffret, *Mémoires*, tom. ii. pp. 390, 391, and by F. Caussette, *Vie du Cardinal d'Astros*, p. 210.

prisoner of Savona, and imposed his own will more absolutely in matters of spiritual as well as of temporal obligation. It is said, indeed, that at this moment he had formed the project of finally regulating the course of affairs as to the difficulties of the Church by means of a lay commission of the chief officers of state. Bigot de Préameneu, the new Minister of Public Worship, succeeded, much to his credit, in dissuading him from a policy which would assuredly have proved ruinous to his authority in the domestic concerns of the Empire.*

* De Haussonville, *L'Église Romaine, &c.*, tom. iv. pp. 28, 29.

CHAPTER XIV.

THE pending ecclesiastical questions thus remained in a dubious state, and the deepest anxiety prevailed among the clergy as to their ultimate issue. Napoleon, chafing under the perplexities of which he was himself the author, summoned the Ecclesiastical Commission a second time in February 1811, and named two additional members, Cardinal Caselli and the Abbé de Pradt, now archbishop of Malines; the latter well known for a supple and unscrupulous instrument of the Imperial will. He had formed, he said, two resolutions: first, that his subjects should hold no communication with the Pope until the limits of his authority had been definitely settled, and he had sworn to observe the four propositions of the Gallican clergy in the Assembly of 1682; secondly, that the existence of the French episcopate should no longer remain dependent upon institution by the Pope, whose authority, under that regulation, became arbitrary and absolute. As to the particular course to be followed while these difficulties were unsolved, he referred for information and advice to the wisdom of the Commission. Upon the earnest representations of the Abbé Emery and Cardinal Fesch, the Emperor consented that his inquiries should not be pressed in that extravagant form; and the Commissioners were asked to consider—(1) Inasmuch as for the present intercourse between the Pope and France was interrupted, to whom application should be made for dispensations reserved to the

Holy See? (2) The bulls for the institution of prelates named by the Emperor being perseveringly refused by the Pope, what was the legitimate method of investing them with diocesan jurisdiction?

The replies of the Commission betrayed too clearly a plastic submissiveness natural under the circumstances, but hardly befitting their ecclesiastical character. They expressed themselves deeply grieved to learn that communication with the Pope had been suspended, and stated that nothing but days of mourning and affliction were to be anticipated for the Church if that state of things should continue longer between the faithful and their Divinely ordained Pastor. With regard to dispensations, they were of opinion that they should be obtained by application to the diocesan bishops; and, as to the bulls of institution, they recommended that a new clause should be added to the Concordat, providing that if his Holiness should fail to grant them within a specified period, the right of institution should devolve upon the Council of the province. In the event of the Pope's remaining impracticable, the French Church might fall back in the last resort upon the dispositions of the Pragmatic Sanction of 1438. Should this unhappily prove necessary, recourse must be had to a National Council; and as a preliminary to any such steps they advised that a deputation of bishops should be sent to the Pope at Savona, to apprise him of the pressing exigencies of the Church of France, and explain to him the real state of affairs. These suggestions were presented to the Emperor on the 4th of March; and on the 17th he held an important meeting of the Commissioners at the Tuileries, to discuss in his presence and that of an imposing assemblage of lay dignitaries the conclusions at which they had arrived. He began by a violent attack upon the conduct of the Pope, whom he accused of fomenting sedition, rebellion, and civil war. "His Holiness had virtually encouraged crimes like those of

Clément, Ravaillac, and Damiens." "It is from no fault of his that I am not abandoned by my subjects and by my armies, like Philip the Long. I know that we are bound to render to God the things that are God's; but the Pope is not God. When we see the Popes constantly disturbing the peace of Christendom for the sake of the temporal interests of an insignificant state like Rome, not larger than a duchy, we cannot but deplore the condition of Catholic society, compromised as it is for such unworthy objects." * He went on to state that he regarded the Concordat as no longer in force, and that he could not accept the proposed expedient of an additional clause to regulate the canonical institutions, since that modification would not suffice to protect France against future quarrels which might arise with the Pope's successors.

This torrent of invective struck the audience dumb with terror. "Although it was a tissue of erroneous principles, falsehoods, atrocious calumnies, and anti-Catholic maxims, not a single Cardinal, not a single bishop, had the courage to defend the truth in the presence of worldly power. Forgetting their duty, they all maintained a scandalous silence. It was reserved for a humble priest to save the honour of his order. This priest was the Abbé Emery, a moderate Gallican, who held the principles of 1682 without committing himself to their consequences; a man equally to be respected for his learning and character, who had passed through the troublous times of the Revolution without contracting aught of blemish or dishonour." † To Emery the Emperor pointedly appealed for his opinion. "Sire," replied the Abbé, after looking first at the bishops, as if to ask their permission to speak, "I cannot but adhere to the doctrine laid down upon this point in the Catechism lately published by your orders for the use of the

* *Correspondance de Napoléon* I^er^, tom. xxi. p. 482.

† Quoted by Cardinal Pacca from a MS. by Cardinal Consalvi. See *Memorie Storiche del Cardinale Bartolommeo Pacca*, tom. iii. p. 46 *et seq.*

Church of France, in which I read that the Pope is the visible Head of the Church, to whom all the faithful owe obedience as the successor of St. Peter, according to the institution of Jesus Christ. Now, can a body act in separation from its head, to whom by Divine law it was bound to pay obedience?" Napoleon was staggered; he said nothing, and Emery continued: "We are bound, in France, to maintain the Four Articles of 1682; but that doctrine must be accepted as a whole; now we are told in the preamble of the Declaration that the primacy of St. Peter and of the Roman Pontiffs was instituted by Jesus Christ, and that all Christians owe them obedience; and again, that it is the object of those Articles 'to prevent any injurious attack upon that primacy under cover of the liberties of the Gallican Church.'" He proceeded to show that although the said articles limited the Pope's prerogative in certain particulars, they assigned to him, nevertheless, an authority so wide and so pre-eminent that no important matter of dogma or discipline could be rightly determined without his participation; and hence drew the conclusion that, if the projected Council were called together, it would possess no power or validity without the concurrence of the Pope.

The Emperor was reduced to silence: he merely murmured in a low tone, "Ah! the Catechism!" After a while he started another topic, still addressing himself to Emery. "Well, I will not contest the spiritual power of the Pope, since he received it from Jesus Christ. But Jesus Christ did not give him temporal power: that came from Charlemagne; and I, as Charlemagne's successor, am resolved to deprive him of it, because he does not know how to use it, and it stands in the way of his duly discharging his spiritual functions. What have you to say to that, Monsieur Emery?" Emery, nothing daunted, appealed a second time to the authority of Bossuet, which Napoleon seemed disposed to treat with such implicit deference. That

great prelate, in his "Defence of the Gallican Declaration," had expressly affirmed that the independence and full liberty of the Sovereign Pontiff are necessary to the effectual exercise of his spiritual authority throughout the world. He proceeded to repeat the passage textually: it was the same that he had quoted when discussing the bull of excommunication in the Commission of 1809.* The Emperor, while acknowledging that such an arrangement might have been wise and expedient in the time of Bossuet, objected that the case might be different now that almost the whole of Europe was subject to a single ruler. Emery replied to this observation with remarkable tact, reminding him that Revolutionary changes were still possible, that existing forms of government were not destined to last for ever, and that an institution sanctioned by the wisdom of many successive ages was not to be abrogated without serious danger.†

Being still further questioned by Napoleon with regard to the proposal of the bishops to demand an additional article to the Concordat, Emery stated candidly and without hesitation that he did not believe that the Pope would make that concession, since he would thereby sacrifice one of the canonical prerogatives of the Holy See. Thereupon Napoleon turned to the bishops, and taunted them with attempting to play him a "clerical trick," in advising him to require from the Pope an engagement which the latter was bound in duty to reject. The prelates were much mortified.‡

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* "Sedi Apostolicæ Romanæ urbis aliarumque terrarum concessam ditionem, quò liberior ac tutior potestatem apostolicam toto orbe exerceat, non tantum Sedi Apostolicæ, sed etiam toti Ecclesiæ gratulamur, votisque omnibus precamur sacrum principatum omnibus modis salvum et incolumem esse."—*Défense de la Déclaration*, lib. i. sect. i. cap. xvi.

† Lyonnet, *Le Cardinal Fesch*, tom. ii. p. 290.

‡ *Vie de M. Emery*, tom. ii. pp. 306–10. This episode is the more interesting, inasmuch as it was the last time that the voice of the venerable Superior of S. Sulpice was heard either at the council-table of the Emperor or in the deliberations of the rulers of the Church. Emery retired shortly afterwards to the country house of the Community at Issy, and there peacefully expired on the 28th of April, 1811. He was in the eightieth year of his age.

The Emperor had listened, without taking offence, to the weighty reasonings of one whom long experience had taught him to regard with unqualified esteem; but he persisted, nevertheless, in the measures already projected for grappling with the resistance of the Pope. On the 23rd of April he sent out the letters of convocation to the National Council; and named at the same time a deputation of three prelates—De Barral, archbishop of Tours, Duvoisin, bishop of Nantes, and Mannay, bishop of Trèves—whom he authorised to negotiate with the prisoner of Savona, and conclude, if possible, a convention for the peaceful settlement of all matters in dispute. They were to propose, in fact, two separate treaties —one for regulating the canonical institution of bishops, the other for determining the future personal condition of the Pope himself, and his relations not only with France but with the Church at large. They were to inform his Holiness that the Emperor regarded the Concordat as no longer in existence, since one of the contracting parties had ceased to observe it; but that he was ready to return to it on condition that the Pope would institute all the prelates already nominated; and that for the future, if institution should be deferred beyond the space of three months, it should devolve upon the metropolitan or the senior bishop of the province. With reference to the second convention, they were instructed to state that the Pope would be at liberty to return to Rome upon taking the oath to the Emperor prescribed by the Concordat, "which had been taken by his predecessors in all ages." If he declined this, he might reside at Avignon, with entire freedom as to spiritual administration, with the honours of an independent sovereign, with the right of receiving foreign ambassadors at his court, and a revenue of two millions of francs. No oath of homage would then be demanded, but he would be required to sign a promise to do nothing contrary to the Gallican liberties and the Declaration of 1682. In no

case, however, was he to be permitted to resume the temporal government of Rome. Notice was to be given him of the forthcoming National Council, and of the measures which the Church of France might possibly adopt on that occasion, according to the precedents of former days, to make provision for the necessities of the faithful and the welfare of religion.*

The three prelates carried with them a letter to his Holiness signed by a considerable number of their brethren, entreating him to receive them as representatives of the whole Gallican Church, and to regard with paternal favour the objects of their mission. Cardinal Fesch wrote at great length in his own name, pointing out, with much force of reasoning, that in the present unhappy circumstances the Church had no alternative but to provide for its self-perpetuation by restoring to the Provincial Councils their original rights in the institution of bishops. The bishop of Faenza, recently named Patriarch of Venice, joined the French embassy by the Emperor's desire.

The deputation reached Savona on the 9th of May, and the next day was graciously received by Pius VII., who at first seemed to imagine that the prelates were come for the purpose of dealing with him judicially, or of announcing measures about to be taken at Paris with that object. Being reassured upon this point, he listened calmly to their statement of the causes and purport of their mission. He reminded them that no Council could be held legitimately without his concurrence, and that a National Council had no power to change the general discipline of the Church either as to the institution of bishops or any other subject. He urged that it was impossible for him to publish bulls, or to take any official step whatever, so long as he was deprived of the help of his natural councillors, his theologians, and

* See the instructions to the Archbishop of Tours and his colleagues, *Correspondance de Napoléon* I^er^, tom. xxii. p. 112.

the ordinary means of obtaining information as to the fitness of candidates for the episcopate; and enlarged upon the manifold hardships of his long-continued imprisonment. At the second interview, he assured the three prelates that he had never done, and had no intention to do, anything adverse to the Declaration of 1682; he was disposed to leave matters *in statu quo*; but as to giving a solemn written engagement to that effect, it was not to be expected of him. Alexander VIII. had expressly condemned the Declaration a short time before his death, and it was not possible for him to take any step in open contradiction to his predecessor. Nothing, he said, had been asked of him since the beginning of his troubles which he had felt so deeply repugnant to his heart and conscience. He added, however, that he had no such feelings with reference to the first of the four Articles, namely, that which asserts the temporal independence of civil rulers, and the restriction of Church authority to matters purely spiritual. "The tone used by the Holy Father in thus speaking was pathetic, and entirely devoid of bitterness." *

In subsequent conferences the Pope showed a disposition to satisfy the French Commissioners by granting the bulls for the institution of the bishops designate; but he strongly objected to the expedient of an additional clause to the Concordat. He pleaded that the change of discipline was too great to be made by a person in his present position; that it would make the Metropolitan judge, in the last resort, of the conduct of the Pope; and that in point of fact the Pope would be deprived of all opportunity of estimating the merits of those who were to hold the highest offices in the Church. Very serious evils might thus follow if at any time Emperors or other rulers should nominate for bishops persons questionable as to character or doctrine. Pius intimated, nevertheless, that if he were a free agent, and surrounded by his Cardinals

* Deuxième lettre des évêques députés au ministre des cultes. De Barral, *Fragmens Historiques*, p. 269.

and other advisers, means might probably be found to adjust all difficulties.

Such was the firmness which the Pope had hitherto manifested in combating the propositions of the Emperor, that on the 14th of May the three prelates were disposed to regard their mission as all but fruitless. They remained at Savona a few days longer, to give his Holiness further time for reflection; and on the 16th the archbishop of Tours wrote to the Minister of Public Worship that the Pope "seemed somewhat agitated, that apparently he had reflected, and felt disposed towards conciliatory measures, though not as yet in such a way as to warrant them in making use of their powers." * The next day they gained a decided step in advance: the Holy Father offered to grant the bulls of institution, but for that occasion only, and after a new method, namely, by authorising the Metropolitans to institute in his name their suffragans already appointed, and reserving to himself the power of institution for the future, when his counsellors should have been restored to him. As he declared this to be his ultimatum under existing circumstances, the prelates announced that they were under the necessity of returning to Paris without further delay. But at this juncture the Prefect of the department Montenotte, M. de Chabrol, interfered, and took advantage, with the skilful aid of Porta, the Pope's physician, of the state of overwrought nervous excitement and exhaustion produced by these anxious debates, to persuade or intimidate his prisoner into submission. On the 18th he consented to the additional article of the Concordat. "We took the pen and drew up a sketch of the arrangements which we hoped to make with him. This morning (May 19) we presented it to him fairly transcribed in French. He made some slight changes of expression and additions, and the result has been a document far

* Sixième lettre au ministre des cultes. De Barral, *Fragmens*, &c., p. 293.

better than we at all flattered ourselves that we should obtain a few days ago. This evening we shall furnish him with a copy of it, and at the same time take our leave, asking his blessing upon our journey back to Paris." *

The essential article of this transaction ran as follows: "His Holiness consents that a clause shall be inserted in the Concordats, by which he engages to expedite the bulls of institution to the bishops nominated by his Majesty within a fixed time, which his Holiness considers should not be less than six months; and in case he should defer doing so for a longer period, he grants the power of institution in his name to the Metropolitan of the vacant see, or, in his default, to the senior bishop of the ecclesiastical Province."

The weak concession thus extorted from Pius may well be regarded, as it was by his friend Cardinal Pacca, as rendering him an object rather of compassion than of blame. It appears, from the official correspondence of De Chabrol, that the Pontiff was labouring under serious indisposition both bodily and mental; for many nights he had not slept; and his whole nervous system was in a state of such violent agitation that he was unfit for any act of grave personal responsibility. No sooner had the bishops left Savona than he was seized with the most acute self-reproach and remorse. "He said that he had prevaricated; that in the last phrase of the note, where reference was made to the future government of the Church, there was a taint of heresy; that death would be infinitely preferable; and that I must instantly despatch a courier to overtake the bishops and insist on the suppression of the article, to which he had never really given his assent. Gradually he became more calm, and consoled himself with the reflection that happily he had signed nothing." † There was no difficulty, indeed,

* Neuvième lettre au ministre des cultes. De Barral, *Fragmens*, &c., p. 299.

† "Il a fermé les yeux dans l'attitude d'un homme qui réfléchit profondément, et n'en est sorti que pour

in retracting and annulling a document obtained under such circumstances. A Pope who was a prisoner, deprived of even the semblance of independent action, isolated from the Sacred College, and in a condition of health which approached imbecility, was clearly incapable of sanctioning fundamental changes in the received discipline of the Universal Church.

Of this Napoleon must have been well aware; and in consequence, although the deputation to Savona had apparently been crowned with success, he pressed the assembling of the National Council, from which he expected to obtain without hesitation a decree enabling the French Church to provide for its own present and future necessities independently of all recourse to the ministry of the Roman Pontiff. An imposing assemblage of prelates was already gathered at Paris. They were ninety-five in number, forty-nine of whom belonged to the Gallican hierarchy, the rest being Piedmontese and Italians. The first session of the Council was held at Notre Dame on the 17th of June, under the presidency of Cardinal Fesch, who officiated pontifically. The sermon was preached by the eloquent Etienne de Boulogne, bishop of Troyes; and contained a significant protestation of the inviolable attachment of the French Church to the centre of unity, to that "keystone of the arch without which the entire edifice would quickly crumble into ruin." "Never will we forget what we owe to that august Chair which the Fathers style the citadel of Truth, and to that Supreme Head of Catholicity without whom the Episcopate would languish like a branch detached from the parent tree, or be tossed about at the caprice of the waves like a vessel without helm or pilot. Yes, whatever may be the vicissitudes experienced by the See of Peter, whatever the condition of his august successor, we will always cling

A.D. 1811 June 17.

dire, 'Heureusement, je n'ai rien signé.'"—Comte de Chabrol au ministre des cultes, Savone, 11 Juin 1811.

close to it in the bonds of filial respect and reverence. That See may be removed, but can never be destroyed; it may be deprived of its splendour, but never of its strength. Wherever that see may be, there will all other sees gather round it; to whatever point that see may transport itself, thither will all Catholics follow it; because wherever it may fix itself, there will exist for ever the root of the succession, the centre of government, and the sacred Deposit of Apostolical tradition."

Such sentiments were not calculated at that moment to find special favour in the eyes of the Emperor. Nor was the effect of this energetic discourse at all diminished when Cardinal Fesch advanced with all solemnity into the midst of the choir, and, kneeling, pronounced the oath of obedience to the Pope and the See of Rome, as prescribed by the Council of Trent. All the prelates present repeated it after him one by one; and we are told by the Cardinal's biographer that when it came to the turn of the *ci-devant* Constitutionals, or of any member whose orthodoxy was at all suspected, his Eminence did not scruple to exhort them to be more than commonly distinct and audible in making the profession of faith.* Napoleon was deeply offended. Summoning the Cardinal to St. Cloud, he administered to him one of his most vehement rebukes for his incapacity and want of judgment; and all mention of the opening discourse and of the declaration of allegiance to the Pope was excluded from the Moniteur. At the sitting on the 20th of June, Count Bigot de Préameneu, Minister of Public Worship, made his appearance unexpectedly, and announced the Emperor's pleasure that a Committee should be formed for regulating the procedure of the Council, of which the Ministers of Public Worship for France and Italy were to be officially members. This decree produced much murmur-

* Lyonnet, *Le Cardinal Fesch*, tom. ii. p. 329.

ing and agitation, as it evinced too plainly a design on the part of the Government to overawe the deliberations of the Assembly, if not to dictate its decisions.

The Emperor's message, which was then read by the minister Préameneu, consisted of a long and bitter enumeration of all his complaints against the Pope, and of imperious instructions to the assembled fathers, who were directed to provide forthwith a new method for the canonical institution of bishops. "This message," says Jauffret, "spread consternation among the fathers of the Council, who till then had cherished the hope of a reconciliation between the two powers." *

It is remarkable that almost the only instance of consistent opposition to the autocracy of the great Napoleon should have been found in the action of the ecclesiastical order; weak as it was politically, and little accustomed by its traditions to measure itself against the powers that be. There were men in the Council of 1811 (though their number was small) who, however earnestly desiring to promote harmonious relations between the throne and the altar, would not condescend to tamper with conscience, or to sacrifice the laws of the Church to views of worldly interest and political expediency. A committee having been named to draw up a reply to the imperial message, the bishop of Nantes (Duvoisin) took the initiative, and read to his colleagues a draft address which he had prepared beforehand. Instead of being confined to general expressions of attachment to Napoleon and his dynasty, and confidence in his principles of government, this document entered largely into the theological questions at issue, with the evident purpose of settling by anticipation the ulterior conclusions of the Council. It was met by a tumult of disapprobation from all quarters. Duvoisin, astounded by such a demonstration,

* Jauffret, *Mémoires*, tom. ii. p. 440.

committed a further indiscretion by announcing that his proposed address had already been submitted to the Emperor, and had been fully approved by him. Marks of indignation now appeared on every countenance. The bishop of Ghent, De Broglie, braving all risks, reproved Duvoisin in no measured terms, and insisted that it was absolutely necessary that the Council should express its own opinion without restraint upon all questions brought before it. He advised that the address should commence by a demand for the liberty of the imprisoned Pontiff; and that the sequel should consist simply of expressions of loyal respect, fidelity, and devotion to the person of the Emperor. He felt sure that in its present shape it would never obtain the approval of the Council.

Thereupon Duvoisin's draft was strictly scrutinised. Clause after clause was criticised and corrected; that which condemned the bull "Quùm memorandâ" was first replaced by a few formal phrases, and in the end wholly suppressed; and such were the changes introduced that the bishop declared that he could no longer defend or recommend his own production. All parties were alike dissatisfied. No sooner was it read to the Council in general congregation than a prelate rose and adjured his brethren with impetuous earnestness to demand, before all other objects, "the liberty of the Pope." Loud applause followed; and the bishop of Chambéry, Dessolles, apostrophised the assembly in tones of impassioned emotion to the same effect. "What!" he cried, "are we discussing an address to the throne, and there is no mention in it of the liberty of the Pope? What are we doing here, Catholic bishops assembled in Council, without being able to communicate with our head? We must demand from the Emperor the freedom of the Holy Father. This is our plain duty, not only to ourselves, but to the faithful of our dioceses, and to all Catholics throughout Europe and throughout the world. Let us not hesitate, let us go and throw ourselves

at the feet of the Emperor to obtain this indispensable act of liberation!" His words raised a perfect whirlwind of enthusiasm. Its impulse was uncontrollable. Had it been put to the vote on the spur of the moment, the motion of Dessolles would have been carried by an overwhelming majority.* With the utmost difficulty Cardinal Fesch succeeded in procuring an adjournment of the course proposed. A personal application to the Emperor, he pleaded, would come with infinitely greater propriety and force when they proceeded to consider the main question for which the Council had been convoked, namely, the means of providing for the institution of bishops.

A further struggle ensued upon the subject of the bull of excommunication, which Duvoisin, though he had consented to expunge all direct mention of it, still attempted to censure in oblique terms. It was at length determined to eliminate from the address every syllable that had the remotest reference to the bull "Quùm memorandâ." But in the prevailing temper of the majority it was found impossible to maintain this restriction. The Italian prelates vehemently objected to a paragraph asserting the authority of the four Gallican Articles, which, as they truly declared, had never been received in Italy, and were manifestly opposed to many decisions of the Council of Trent. Cardinal Maury defended them, as providing a very necessary barrier against the excesses of Papal authority, and quoted as an example the bull of

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* It is stated in the *Mémoires* dictated by Napoleon at St. Helena that he would have received such an address with satisfaction, and would have honoured the Council for its conduct. "Une action qui eût honoré le Concile, et l'eut accrédité dans l'opinion, eût été une démarche solennelle de cette Assemblée en faveur du Pape. L'Empereur eût reçu l'adresse sur son trône, environné de sa cour, du Sénat, du Conseil d'État; il eût déclaré que le Pape était, et avait toujours été, libre dans l'évêché de Savone; qu'il était maître de retourner à Rome pour y exercer ses fonctions spirituelles, s'il voulait y reconnaître le gouvernement temporel existant; et qu'il ne serait mis aucun empêchement à sa correspondance avec les fidèles, pourvu qu'il promit, ainsi que les Cardinaux, de ne rien faire en France de contraire aux quatre propositions de Bossuet." —*Mémoires de Napoléon, Notes et Mélanges*, tom. i. p. 158.

excommunication launched against the Emperor. This produced an outburst of vigorous remonstrance from the venerable archbishop of Bordeaux, Mgr. Aviau. "You say that the Holy Father exceeded his powers by publishing that bull? Surely you must have forgotten the language of the Council of Trent in its twenty-second session: 'Si quem clericorum aut laicorum, quâcunque is in dignitate, etiam imperiali aut regali, præfulgeat,'" &c. And throwing down upon the table a copy of the Tridentine Canons, "Condemn," cried the indignant prelate—"condemn, if you choose, the exercise of spiritual authority in passing censure upon sovereigns; but remember that in doing so you condemn the Church which ordained it!"

Napoleon, provoked by this recalcitrant attitude, refused in the end to receive the address; which, indeed, had been so mutilated by successive amendments that it was no longer the same document that he had originally sanctioned. He also countermanded the attendance of the Council at a proposed reception at the Tuileries. The prelates were ordered to take into consideration without delay the one question which was strictly before them, namely, the means by which the Church was to be supplied with properly qualified pastors in the present emergency. On the 3rd of July Duvoisin announced that the Emperor demanded a categorical reply upon two points: (1) whether, now that the Concordat was no longer in force, the Council deemed itself competent to legislate for the institution of bishops without the intervention of the Pope; (2) whether, in case the Concordat should be re-established, the Council would demand the insertion of a new clause precluding any arbitrary refusal of the bulls of institution by the Pope for the future. Should their reply be in the affirmative, the Emperor promised to send a deputation to announce the decision to the Pope. If his Holiness should accept it, all difficulty would be at a end; if not, the right of episcopal

institution would devolve, provisionally and pending the vote of an Œcumenical Council, upon the metropolitans.

The debate in the Committee was opened by the archbishop of Bordeaux, who observed that even under the most critical circumstances, such as those of 1682, the Gallican Church had never put forth the pretension now suggested, but had confined itself to respectful petitions and remonstrances addressed to the Pope. The bishop of Tournay (Mgr. Hirn) drew a powerful picture of the anxieties and embarrassments which would be entailed upon the Church if pastors were thrust upon it who had received no legitimate mission from the Vicar of Jesus Christ. This might even have the terrible result of creating doubts as to the validity of the Sacraments, and opening the door to a state of general and disastrous confusion. A National Council, he insisted, was altogether incompetent to change a rule of discipline consecrated by the immemorial tradition of Christendom. Duvoisin retorted that it was a matter of absolute necessity. "Who caused the necessity?" cried the bishop of Ghent. "It was the Emperor, not the Pope; for it appears that the Pope has lately promised the bishops at Savona to grant the bulls demanded. The necessity might be terminated to-morrow, if such were the pleasure of the personage who caused it." The majority of the Committee was manifestly for a negative response. While fully admitting the extreme urgency of the case, in view of the spiritual destitution of so many important dioceses, they argued that the interests of the Church would not be really forwarded by sending forth bishops with questionable jurisdiction, in contempt of the indispensable principle of Catholic unity. The incompetency of the Council was voted by a large majority;* and a report was made to the Emperor, stating that "the Council, before

* The three prelates of the deputation to Savona voted for the competence of the Council; their eight colleagues were of the contrary opinion. Cardinal Fesch declined to vote.

replying formally to the questions presented to it, desired his Majesty's permission to send a deputation to confer with the Pope as to the deplorable condition of the Church of France, and the means of remedying the evil."

The first impulse of Napoleon, on learning this result, was to dissolve the Council forthwith, and to compel the metropolitans to institute bishops for the future. A stormy scene took place between Cardinal Fesch and his imperial nephew; the Cardinal declaring that he would never consent to that arrangement, and that if any one of his suffragans should dare to give institution as his substitute, he would excommunicate him instantly. Upon consideration, however, the Emperor consented to lay before the Council the note which the deputation had obtained from the Pope, and which had hitherto remained secret. It was to be announced that his Holiness had condescended to take into consideration the difficulties of the Church of France, and had made concessions which would provide for the necessities of the vacant sees; that he had approved a clause in virtue of which, if he himself should fail to institute within the space of six months, the metropolitan of the province was authorised to fulfil that duty. A decree to that effect was to be submitted to the Emperor for his sanction as a law of the State; and a fresh deputation was to proceed to Savona, to present the thanks of the Council to the Holy Father for having by this timely act of charity put an end to the misfortunes of the Church.

This project was at first adopted by the Committee with great alacrity; but after a night's reflection many of the members retracted their approval, chiefly on the ground that they had no proof of the authenticity of the note purporting to be drawn up at Savona; that it was strange that a document of such importance had not been communicated to them sooner; and that if the Pope should eventually disavow it, the state of things would become more complicated

than ever. The change of opinion was sudden; but under the peculiar circumstances it is not difficult to understand both the eagerness with which the proposed expedient was originally accepted, and the suspicions and apprehensions which led to the subsequent tergiversation. A report in the latter sense was framed by the bishop of Tournay, and read to the Council in its last general Congregation, on the 10th of July. After a short discussion the assembly was about to divide, when the president adjourned the sitting till the next day but one. But Napoleon, on being informed of what had passed, gave the bishops no time for further deliberation; on the same evening he issued a decree dissolving the Council. To this he added a harsher act of tyranny. He caused the bishops of Ghent, Tournay, and Troyes, who had taken the most prominent part in opposition to his will, to be seized during the night by the police and conducted to Vincennes, where they were placed in rigorous confinement in separate cells, without pens, ink, or paper. It had been determined to arrest also the archbishop of Bordeaux; but Savary dissuaded his master from a step so hazardous. "Sire, he is a saint; you must not touch him; we should have all the world against us." *

These violent measures, although the Government used every effort to keep them profoundly secret, roused feelings of general indignation, not only among ecclesiastics, but in all classes of society in Paris and the provinces. Trenchant strictures were passed upon a sovereign who, having assembled a Council ostensibly for the purpose of obtaining the advice of the heads of the Church in a moment of difficulty, proceeded to imprison those whose opinion happened to differ from his own. Savary felt so strongly the false position in which the Emperor had placed himself that he strove to persuade the public that the arrest of three prelates was

* De Haussonville, tom. iv. p. 344.

caused not by any ecclesiastical dissensions but by certain political intrigues in which they had imprudently engaged with Cardinal di Pietro—a statement which, it need hardly be said, was entirely false.

It would be well, for the credit of the National Council of 1811, if at this point we could dismiss it from our pages; but it is impossible to ignore or suppress its later history and its painfully ignominious conclusion. The reports which had reached Napoleon latterly from Savona led him to believe that the Pope, whose state of health had greatly improved, desired to accommodate his differences with France; and on the strength of this assurance it was resolved that an attempt should be made to induce the Gallican hierarchy to retrace its steps, and adopt the decree which it had just rejected. The Minister of Public Worship was instructedto communicate with the prelates separately and confidentially, and to leave no means untried, by appealing in turn to their fears, their hopes, their devotion to the great cause of religious peace and Catholic unity, to bring them into harmony with the views of the Government. "Take them one by one," said Cardinal Maury; "the wine is excellent, but it will be better in bottles than in the wood." Bigot de Préameneu executed his commission with great skill and with remarkable success. In the course of a fortnight, assisted by the Duke of Rovigo and other trusted agents of the Emperor, he secured the adhesion of the great majority of the Council. Many of the Italians, and even Cardinal Fesch, resisted long and stoutly on various principles; but a preliminary conference on the 27th of July was attended by eighty-three prelates, and the Emperor thereupon announced that the lately dissolved Council would immediately resume its sessions. The decree of dissolution was considered as null and void; and on the 5th of August the Council held a general congregation, as if its deliberations had never been interrupted. The archbishop of Tours then for the first time

laid before his brethren the official account of the transactions at Savona; after which Cardinal Maury remarked that there was no need to enter upon a debate, since the questions in hand had already been approved by the majority; and the two following propositions were then affirmed without being put to the vote; the inflexible archbishop of Bordeaux, with three or four colleagues, being the sole dissentients. "The National Council is competent to pronounce as to the institution of bishops *in case of necessity*." "If the Pope should refuse to confirm the decree of the Council as to the institution of bishops, that would constitute the case of necessity." The decree itself was word for word identical with that which the Council had refused to sanction on the 10th of July. It was added that the decree would be submitted to the Pope for his approbation, and that a deputation of six bishops would be despatched to Savona to request him to confirm it.

Such was the undignified and humiliating issue of the National Council of 1811, which then immediately separated. The acts were never published officially, the Government having carefully suppressed all the documents connected with it. The materials for its history are in consequence scanty, unsatisfactory, and sometimes contradictory; the most perspicuous account being that which was found among the papers of De Broglie, bishop of Ghent, and upon which the narrative in the work of De Haussonville is principally founded.

The second deputation to Savona consisted of eight prelates, namely, the three who had formed the first deputation, together with the archbishops of Pavia and Malines, the bishops of Evreux and Piacenza, and the patriarch designate of Venice. In order to meet the Pope's repeated complaint that in the absence of his natural counsellors he was disabled from executing his proper functions, Napoleon ordered that the deputies on this occasion should be accom-

panied by five of the Cardinals still resident at Paris, Doria, Bayanne, Ruffo, Roverella, and Dugnani; whom he selected because they had expressed themselves favourable to the scheme of reconciliation by the Pope's acceptance of the decree of the Council. If his Holiness should take that course, they were authorised to remain at Savona to act as his advisers in the affairs to be arranged subsequently; if he should refuse, they were to return without delay to Paris.* "The Pope's approbation," wrote the Emperor, "must be pure and simple; you will refuse to receive it if he should attempt to make any reservation, except those relating to the see of Rome, which is not comprehended in the decree. We approve the decree of the Council if the Pope accepts it without modification, restriction, or reserve of any kind; but otherwise you will declare that we fall back upon the common law of the Church, and that the canonical institution devolves upon the Metropolitan without the intervention of the Pope, according to the usage which prevailed before the Concordat of 1516. Show no weakness; accept nothing which we should not accept, nothing contrary to these directions; which would embarrass matters instead of simplifying and adjusting them." †

The deputies reached Savona towards the end of August. Conferences with the Pope were opened immediately, and lasted till the 20th of September, on which day the Holy Father signed a brief in conformity with the decree of the Council, that is, investing the Metropolitans with the right of institution under certain circumstances. Such institutions, however, were to be made expressly in the name of the Pope; all accustomed formalities were to be strictly observed; and the official documents attesting their punctual fulfilment were to be transmitted as soon as possible to the Holy See. This

* Napoleon to Comte Bigot de Préameneu, St. Cloud, 17 Août 1811.—*Correspondance*, tom. xxii. p. 413.

† *Correspondance de Napoléon* I^er^, tom. xxii. p. 418.

result is doubtless to be attributed to the ascendency exercised over the vacillating Pontiff by the five members of the Sacred College, especially by Cardinal Roverella. In proportion as by their skilful intervention they succeeded in removing the doubts and prejudices which had tormented his over-sensitive conscience, he showed himself infinitely relieved and comforted. His countenance resumed its natural expression of serenity; and, when the affair was brought finally to a conclusion, "he testified," writes the prefet De Chabrol, "a joy like that of a child who has just been delivered from some great infantine trouble." *

It was now generally taken for granted that this protracted strife was at an end, and that the Pope would be immediately restored to liberty. The prelates of the deputation were directed to return to Paris; but they had scarcely quitted Savona when a second courier arrived to countermand the order. The archbishop of Malines (De Pradt) and the bishop of Evreux were already too far on the road to be recalled; they reached the capital on the 20th of October, and to their great astonishment found themselves received with reproaches instead of congratulations. They soon learned that the Emperor was not satisfied with the Pontifical brief, or rather, as M. de Haussonville puts it, that he was determined not to *appear* satisfied with it. Once more he recurred to an insidious and crooked policy. He resolved to take the full benefit of the Pope's concessions by causing the bishops designate to be canonically instituted, while at the same time the brief was to be regarded by the Council of State as containing propositions adverse to the national liberties. His Holiness, it was objected, instead of accepting the decree purely and simply, had not even recognised the existence of the Council: he had addressed his brief "to the archbishops and bishops *assembled* at Paris." He had

* Archbishop de Barral to Count Bigot de Préameneu, 6 Sept. 1811. | Quoted by M. de Haussonville, tom. v. p. 47.

spoken of the Church of Rome as "the mother and mistress of all Churches;" and he had omitted to explain himself with regard to the sees of the kingdom of Italy, and of other countries which were annexed, or about to be annexed, to the French empire. His silence on this latter point gave room for a suspicion that he designed to make it a matter of contention as soon as circumstances permitted.*

Thus the long-delayed reconciliation was indefinitely adjourned; the bishops of the Council were dismissed to their dioceses; the Pope remained a helpless prisoner at Savona; and feelings of profound agitation and alarm gained ground among all classes of Catholics throughout the empire. The three prelates who had been imprisoned at Vincennes at the time of the Council were suddenly required to resign their sees; in return for which sacrifice, together with a promise to take no further part in the ecclesiastical administration, they were to be released from confinement, though still remaining under surveillance in remote towns of the empire. Having signed this engagement they were set at liberty; and took up their residence, the bishop of Troyes at Falaise, the bishop of Tournay at Gien, the bishop of Ghent at Beaune. The Chapters refused to recognise the forced acts of resignation; and maintained that the diocesan government, during the absence of the bishops, belonged to their grand-vicars. The Minister of Public Worship insisted that the grand-vicars were no longer in office, and that fresh nominations must be made; upon which the Chapters re-elected the same functionaries under the title of vicars-general, so that no real change was made in the administration. The collisions and struggles which followed spread confusion throughout the three dioceses.

Napoleon was at this time absorbed in his gigantic preparations for the invasion of Russia; all other considerations

* Jauffret, *Mémoires*, tom. ii. p. 482.

he postponed till the close of that expedition, which, as he imagined, was to place him once more in the position of an irresistible conqueror, whose will must be meekly accepted as universal law. Circumstances occurred, however, though we know not precisely what they were, which recalled his attention to the difficulties connected with the Church and the Sovereign Pontiff. A letter written suddenly from Dresden to his brother-in-law Prince Borghese, on the 21st of March, 1812, directed that the Pope should be transferred without delay from Savona to the palace of Fontainebleau. "I have just heard," writes the Emperor, "that there are English vessels cruising before Savona; and I think it necessary that the Pope should be placed in safety. Precautions must be taken that he may pass through Turin by night, that he may stop at Mont Cenis only, that he may traverse Chambéry and Lyons by night, and so be conveyed to Fontainebleau, where orders are given for his reception. He must not travel in his pontifical robes, but in the ordinary dress of an ecclesiastic, and in such a way that he may be recognised nowhere except at Mont Cenis. . . . At Turin he will meet the archbishop of Edessa, who will accompany him during the remainder of the journey. You will tell that prelate that the state of affairs in Europe, and the presence of the English before Savona, rendered the residence of the Pope in the latter town dangerous, and that he must be placed in the centre of the Empire. At Fontainebleau he will be received by the bishops of the deputation, he will be lodged in the apartment which he formerly occupied, and he will be visited by the Cardinals who are in France. I desire that the greatest secresy may be observed." *

It seems certain that a plan had been discussed, and at one moment arranged, between the British Government and that of Austria, for carrying off the Pope from Savona, and

* *Correspondance de Napoléon* I^er^, tom. xxiii. p. 417.

placing him in a safe asylum in Sicily or Malta. His Holiness had agreed to it, and a frigate was despatched to the Italian waters to be in readiness for his reception; but the French police penetrated the secret, and it was deemed wise to abandon the project, lest dangers should be incurred which might render the situation of the Pope and Cardinals still more distressing for the future.* Perhaps, however, Napoleon's motive was simply the desire that the Pope should be located in close proximity to the seat of government, where he could communicate with him personally, and by degrees subdue his feeble, timorous nature into complete submission.

Pius VII. quitted Savona with the utmost mystery on the night of the 10th of June, 1812. He was transported across the Alps with such ruthless rapidity that before reaching the hospice of Mont Cenis he fell dangerously ill; a halt of three days at the convent was found absolutely necessary; and it was at the peril of his life that the journey was completed. He reached Fontainebleau on the morning of the 19th, utterly prostrated by fatigue and suffering.

Taking possession of the splendid apartment which had been placed at his disposal on the occasion of the coronation seven years before, Pius had no further reason to complain of the rigours of captivity. The highest government officials hastened to pay court to him; bishops and Cardinals threw themselves at his feet with obsequious devotion; the faithful crowded to the chapel of the Chateau whenever his Holiness performed mass. The Moniteur announced that "the Pope was free;" and a report gained ground, and was warmly welcomed, that the misfortunes of the Church were speedily to be terminated by means of a definitive reconciliation between the Emperor and the supreme ecclesiastical authority.

At length, on the 17th of December, 1812, the world was

* Crétineau-Joly, *L'Eglise Romaine en face de la Révolution*, tom. i. p. 441.

startled by the appearance of the famous "29th Bulletin of the Grand Army," which revealed in their full extent the appalling fatalities which had overtaken France during the Russian campaign. Twenty-four hours later the Emperor re-entered his capital; and one of his first acts was to write a letter to the Pope, the true interpretation of which is doubtless to be found in the events which had dealt so disastrous a blow to the stability of the empire. "The new residence of your Holiness will give us the opportunity of communicating personally; and I have it much at heart to assure you, in spite of all the events which have happened, that I have always preserved the same sincere friendship for your person. Perhaps we may be enabled to realise the greatly desired object of putting an end to all the differences which have arisen to divide the Church from the State. On my side I desire it heartily; and the result will depend entirely on your Holiness."* It might be imagined from such language that misfortune had already disposed Napoleon to be more reasonable and tractable than in his past days of prosperity; but, on the contrary, the propositions which he now submitted to the Pope through the bishop of Nantes were more offensive and humiliating than ever. Duvoisin was charged to demand that the Pope and his successors should bind themselves to do nothing and prescribe nothing inconsistent with the Four Articles of the Gallican clergy. Two thirds of the College of Cardinals were henceforth to be named by the Catholic sovereigns, leaving one third only at the disposal of the Pope. His Holiness was to issue a solemn brief condemning the conduct of the "black" Cardinals who had absented themselves from the marriage of the Emperor; and two of them, Di Pietro and Pacca, were to be banished from his presence for ever. It was also proposed, for the first time in positive terms, that the Pope

* *Correspondance de Napoléon* Ier, tom. xxiv. p. 354.

should fix his residence at Paris. It appears that those of the Cardinals who had retained the good graces of the Emperor, together with his faithful satellites the archbishop of Tours and the bishops of Nantes and Trèves, had no scruple in counselling Pius to accept these hard conditions; but the Pontiff himself hesitated, and pleaded as usual that he could not entertain such a project until he had recovered his liberty and the presence of the whole body of his advisers. Under these circumstances Napoleon resolved to call into exercise those powers of personal fascination and ascendency with which few men were more singularly gifted than himself. He repaired suddenly to Fontainebleau on the 18th of January, 1813, entered the presence of Pius without announcement, and was received with truly Christian indulgence and fatherly affection. A secret conference followed, which lasted several hours. The result was the celebrated, but abortive, Concordat of Fontainebleau, signed on the 25th of January 1813.

A.D. 1813. January 25.

"It has been stated and published," says M. Crétineau-Joly, "that in the course of these hurried communications Napoleon assailed the Pope with menaces and even with sacrilegious violence.* For the honour of human nature, these assertions are absolutely false, and the Pope himself always denied them. There was no need of passion or brutality in order to gain the mastery over an old man already exhausted, and who had no one at hand to sustain his courage. The prestige of the Emperor, his promises, his marks of veneration for his captive, and above all the sudden transition from confinement to liberty, from the servitude to the enfranchisement of the Church, rendered invective and force entirely needless. The Pope was prepared for the strange concessions exacted of him; he granted them and signed

* Chateaubriand, in his famous pamphlet *De Buonaparte et des Bourbons*, had asserted that the Emperor, in a transport of fury, laid hands upon the Holy Father, and dragged him across the room by the hair.

them almost without discussion. He made only one reservation, which paralysed beforehand all these preliminaries of an impossible Concordat. He required the consent of the whole College of assembled Cardinals. The Emperor acquiesced, being well persuaded that the Sacred College would find itself in the same state of perplexity as the Pope." *

The crucial article of this treaty was the same that the Holy Father had already twice accepted during his detention at Savona, namely, that which placed the episcopal institutions in the hands of the Metropolitan in case the Pope should fail to institute within six months. But it must be observed, on the other hand, that Napoleon greatly modified on this occasion the requisitions which he had made to Pius only a fortnight before through Bishop Duvoisin. No mention was made of the engagement to do nothing adverse to the Four Gallican Articles. The demand that two thirds of the Sacred College should be nominated by the sovereigns was quietly dropped. Nothing was stipulated as to the Pope's future residence at Paris. The brief condemning the "black" Cardinals, and banishing Cardinals di Pietro and Pacca, was no longer required. The Emperor agreed, moreover, to re-establish the "suburbicarian" sees near Rome, to which the Pope was to nominate; ten other bishoprics in France and Italy were likewise placed at his disposal. The Cardinals, bishops, and all other individuals who had incurred disgrace by taking part against the Government in the transactions of late years, were restored to favour.†

But no sooner had Napoleon taken his departure than Pius fell once more under the unsparing chastisement of conscience, and bewailed his weakness with the deepest self-abasement. He condemned himself to severe penance,

* Crétineau - Joly, *L'Église Romaine en face de la Révolution*, tom. i. p. 446.

† *Correspondance de Napoléon* I^er^ tom. xxiv. p. 450.

and abstained from officiating at the altar. He passed night after night without sleep, and took barely the amount of nourishment necessary to sustain life. He was tormented by a presentiment that he was about to lose his reason, and die a miserable death like that of Clement XIV. Cardinal Pacca, who fortunately was liberated at this moment from his long imprisonment in the castle of Fenestrelles, at length roused him from his despondency by suggesting that the false step might yet be retrieved. The idea of the possibility of expiating his error soothed and consoled him; and he hesitated at no sacrifice in order to regain the right path. On consulting with the Cardinals, most of whom were by this time assembled at Fontainebleau, he found that they were divided in opinion; some were for opening fresh negotiations, and rectifying the new Concordat without positively disavowing it; others advised a formal retractation addressed without reserve to the Emperor, and openly promulgated to the Church. The latter course was strongly advocated by Cardinals Pacca and Consalvi, and the Pope gladly adopted it, as being the most simple and ingenuous mode of testifying his contrition.

Meanwhile Napoleon, overjoyed to have secured, after so much suspense, opposition, and disappointment, an arrangement in substantial accordance with his policy, communicated it to the Senate as a definitive treaty, although upon the face of it it was only provisional, and both parties had agreed that it was not to be formally published. The Emperor distributed at the same time marks of his special satisfaction and favour to the ecclesiastics who had been personally concerned in the transaction. Cardinal de Bayanne and the bishop of Evreux were made members of the Senate; the bishops of Nantes and Trèves were elevated to the Council of State; Cardinals Ruffo and Doria received the Grand Eagle of the Legion of Honour. But as time went on, it became known that difficulties had arisen to obstruct the execution

of the new Concordat. Bulls of institution were demanded, and were refused as heretofore. An imperial decree then appeared, stating that "the Concordat signed at Fontainebleau, regulating the affairs of the Church, and published as a law of the State on the 13th of February, 1813, was obligatory upon all archbishops, bishops, and chapters, who were bound to conform to it. Bishops designate were to apply to the Metropolitan, who was to make all the usual preliminary inquiries, and notify the result to the Pope. If his Holiness should not have granted institution within the space of six months then ensuing, it was the duty of the Metropolitan, assisted by the bishops of the province, to give the said institution."

The Pontiff and his advisers took their measures with the utmost secresy; but the truth soon became apparent. On the 24th of March a letter was transmitted to the Emperor, by which the recent treaty was absolutely revoked and annulled. "Sire," wrote the Pope with unaffected pathos, "however painful to our heart is the avowal which we are about to make to your Majesty, however painful it may prove to yourself, the fear of the Divine judgments, to which we daily draw nearer by reason of our age and the declining state of our health, ought to raise us above every human consideration, and make us despise the terrible anguish to which we are subject at the present moment. We declare to your Majesty that since the day on which we signed the articles which were to form the basis of the definitive treaty there mentioned, the most bitter remorse and repentance have unceasingly distressed our soul. We then perceived, and continual meditation has made us every day feel it more profoundly, the error into which we allowed ourselves to be drawn, whether in the hope of putting an end to the differences in the Church, or by the further desire of gratifying your Majesty. Our grief was somewhat lessened by the hope that the evil might be remedied by the terms of the definitive act of reconciliation; but what was our surprise

to find, after what we had arranged with your Majesty, that you had published, under the title of a Concordat, the very articles which were no more than the basis of a future arrangement! We declare in the presence of God, to whom we shall soon have to give account of our use of the power He has conferred upon us as Vicar of Jesus Christ for the government of His Church, that our conscience is insurmountably opposed to the execution of many of the articles contained in the document of the 25th of January. We will address your Majesty in the same terms that our predecessor Paschal II. used in a brief to Henry V. Since our conscience bears witness that the writing is evil, we confess that it is evil; and we desire, with the help of the Lord, that it may be cancelled as such, in order that no injury may result from it to the Church, nor any detriment to our own soul. We acknowledge with sorrow and confusion that the exercise of our authority would not be for edification but for destruction, if we should be so unhappy as to execute what we have imprudently promised, not with any evil intention (God is witness) but simply from infirmity, being, as we are, but dust and ashes." He proceeded to specify the several clauses in the treaty which he felt to be prejudicial to the welfare of the Church, and concluded by beseeching the Emperor to take measures for arriving at a definitive settlement, such as would guarantee the restoration of true peace to the Church, and be worthy to be maintained by future Pontiffs.

This letter was the joint production of the three ablest of the Cardinals, Pacca, Di Pietro, and Consalvi. They were doubtless much influenced, as the Abbé de Pradt remarks,* by political considerations arising from the circumstances of the moment. The terrible calamities of the year preceding portended the speedy dissolution of Napoleon's power. The Emperor, impatient, after such crushing reverses, to put an

* *Les quatre Concordats*, tom. iii. p. 11.

end to the most urgent difficulties of his internal government, seized the opportunity of negotiating in person with the Pope, took advantage of his weakness to extort from him a provisional arrangement in opposition to his conscience, and rashly proclaimed it to the world as a final adjustment of the ecclesiastical disputes of his reign. But meanwhile the Pope had recovered the services of his most experienced counsellors, of which he had been so cruelly deprived; and the result was at once seen in their firm refusal to abandon the ancient prerogative to which Rome was so tenaciously attached. Time, they fully calculated, would work wonders in their behalf; the hour was not far distant when the world would do justice to the persecuted successor of St. Peter; and his Apostolic jurisdiction would be re-established in its plenitude with the cordial assent of all civilised nations. It may be said, therefore, with considerable truth, that "the Russian campaign annulled the Concordat of Fontainebleau." *

Napoleon, deeply provoked, had nevertheless the prudence to conceal his indignation. He ignored the letter of retractation, and continued to insist on the Concordat of Fontainebleau as an obligatory law of the State. On the point of once more quitting Paris for the army, he proposed to the clergy to draw up an address of remonstrance to the Pope, and to present it to him by a deputation; but it was found impossible to persuade them to make this demonstration. Another effort in favour of reaction was made through the instrumentality of Cardinal Maury; but he was personally unacceptable to the Holy Father, who, after listening patiently to his overtures, dismissed him in terms little flattering to his self-esteem. The Pope's intercourse with the Cardinals was now subjected to vexatious restrictions and surveillance. Cardinal di Pietro was exiled to Auxonne,

* De Pradt, *Les quatre Concordats*, tom. iii. p. 11.

where he was kept in close confinement until the fall of the Empire.

It is unnecessary to describe in detail the various attempts made by the French Emperor, during the rapid decline of his fortunes, to extricate himself from the false position which he occupied through his infatuated quarrel with the Church. They were alike unsuccessful; for in proportion as it became plain that the tide of events had turned decisively against him, and that Europe was fully determined to shake off his yoke for ever, the Pope refused to negotiate except in a condition of perfect independence. He calmly awaited the moment when Providence should visibly interfere for his deliverance; and the Government having commissioned M. de Beaumont, archbishop designate of Bourges, to intimate that his return to Rome might perhaps be arranged under certain conditions, he received the announcement with apparent indifference, merely observing that he had forbidden the Cardinals to speak to him upon any matter of business.

The Allied Powers, on opening communications with the French ministers preliminary to the Congress of Chatillon (January 1814), specified the release of the Pope as one of their principal conditions of peace. To this Napoleon made the following response in his instructions to his plenipotentiary Caulaincourt. "If matters cannot be settled otherwise, we will allow the Pope to be replaced at Rome; but he must acknowledge the Concordat of the 25th of January, 1813, and the arrangements made subsequently in France on behalf of the clergy." *

The eventful course of military affairs induced the Emperor, a few weeks later, to offer to restore the whole of the Papal territories, without condition of any kind. Murat had treacherously deserted his brother-in-law, had come to terms with the coalition, and had seized the States of the

* *Correspondance de Napoléon* I^er^, tom. xxvii. p. 12.

Church; and under these circumstances Napoleon resolved to revenge himself by restoring the Patrimony of St. Peter to its true owner. "He preferred to see it in the hands of his Holiness rather than in those of any other sovereign."

By the treaty now proposed the Pope was to be reinstated in his temporal dominion; and the Roman States, in their full extent as when united to the French Empire, were to be surrendered to the Pontiff or his officers. This offer was made on the 20th of January, 1814, and was at once rejected. Pius remarked that the restitution of his dominions was an act of simple justice, and could not be made an article of negotiation by treaty; and that, moreover, anything that he might do at a distance from Rome would naturally be subject to suspicion, and would become an occasion of scandal to the Catholic world. "It may be," said the Holy Father, "that my sins have rendered me unworthy to see Rome again; but be assured that my successors will recover the whole extent of the territories which rightly belong to them. Assure the Emperor," he continued, "that I am not his enemy. Religion forbids any such feeling. I love France, and when I return to Rome you will see that I shall do everything that befits me." A few days afterwards the Pope was suddenly removed from Fontainebleau, and conducted by short stages towards the south of France. On taking leave of the Cardinals he expressly enjoined them not to entertain for a moment any proposition for a treaty concerning either spiritual or temporal affairs; "for such," said he, "is our absolute and fixed will."

It was not till the prospects of the campaign of 1814 had become virtually hopeless, that Napoleon, on the 10th of March, published a decree announcing that the Pope was about to resume possession of his dominions. The announcement reached the Holy Father at Savona, to which place he had been reconducted after a long circuitous journey through the central and southern departments, the ordinary

route being now occcupied by the foreign armies which had invaded France. From Savona he was escorted by Napoleon's orders to Parma, and thence to the advanced posts of the combined Neapolitan and Austrian forces. This took place on the 23rd of March; and it is impossible to avoid recognising something like Providential retribution in the fact that the collapse of the Revolutionary Empire synchronised so closely with this decisive triumph of the Apostolic See. On the 31st of March the Allied Sovereigns entered Paris. On the 2nd of April the Senate pronounced the deposition of Napoleon.

Five years of harassing exile appear to have left no trace of resentment or rancour against his persecutor upon the noble soul of Pius VII. He preserved, unchanged to the last, the sentiments of affection towards the person and character of Napoleon which he had conceived, too indulgently perhaps, in the very earliest days of their acquaintance. He provided for the ex-imperial family, after the catastrophe of Waterloo, a secure and honourable retreat at Rome; where, in addition to Cardinal Fesch, Madame Letitia, the Emperor's mother, and his brothers Lucien, Louis, and Jerome, successively established themselves for many years. Of the large-hearted sympathy which he cherished for the prisoner of St. Helena we possess a touching proof in a letter addressed to Cardinal Consalvi,* and published for the first time in the Cardinal's Memoirs, from which the following is an extract:—

"We are informed by the family of the Emperor Napoleon, through Cardinal Fesch, that the rock of the island St. Helena is deadly, and that the poor exile feels himself wasting away at every moment. We have heard these tidings with infinite pain, which you will doubtless share, for we must both of us remember that, next to God,

* *Mémoires du Cardinal Consalvi*, Introduction, p. 78.

it is principally to him that we owe the re-establishment of religion in the great kingdom of France. The pious and courageous initiative of 1801 has caused us long ago to forget and forgive subsequent injuries. Savona and Fontainebleau are merely faults of the understanding, aberrations of human ambition; the Concordat was an act of Christian and truly heroic restoration." *

"The mother and family of Napoleon make an appeal to our compassion and generosity; we think it a matter of justice and gratitude to respond to it. We are sure that we shall meet your wishes in charging you to write in our name to the Allied Sovereigns, and particularly to the Prince Regent, to entreat them to mitigate the sufferings of such a prisoner. It would be a source of unbounded satisfaction to us to have contributed to diminish the miseries of Napoleon. He can no longer be dangerous to any one; it is our desire that he should not be for any one a subject of remorse."

The termination of this phase of the memorable struggle between the Church and the Revolution, personified as it was by Napoleon and Pius VII. during the eight eventful years from 1805 to 1814, was welcomed with unfeigned joy by all true-hearted Catholics in France. The troubles of distracted dioceses disappeared almost immediately. Captives recovered their liberty on all sides. The Abbé d'Astros, who, on the approach of the Allies to Paris, had been hastily removed from Vincennes to the prison of Angers, was released as soon as the news arrived of Napoleon's abdication; and by a singular coincidence, the magistrate who announced to him that he was free was none other than his cousin M. Portalis; the same who had been disgraced and banished by Napoleon for his alleged correspondence with the imprisoned Pope six years before.

* "Un acte chrétiennement et héroïquement sauveur."

He had contrived to reinstate himself in the Emperor's favour through the good offices of the Grand Juge M. Molé, and held at that moment the post of first President of the tribunal of Angers. D'Astros returned without delay to Paris, where he found himself, to his own unaffected surprise, the object of universal admiration and congratulation. "I could never have believed," he writes to a relation, "that what has happened to me could have excited such great and general interest. I am ashamed to speak of it, and feel bewildered by the sentiments which my adventures have inspired. Bonaparte could not have succeeded better in making me pass for an important personage. I am persuaded that the manner in which he treated me, when I waited upon him at my last audience, has procured for me this brilliant consideration." *

The ecclesiastical, as well as the political, state of Paris had greatly changed with the dethronement of Napoleon. Maury was still nominally archbishop, and governed the diocese as Vicar Capitular; but on the 9th of April the Chapter, at an extraordinary meeting, decreed that the administrative powers previously granted during the vacancy of the see, whatever the title and dignity of the individual by whom they were to be exercised, were withdrawn. They added that they were impelled to this step by a variety of considerations which it was easier to understand than to express. This decision at once dispossessed the Cardinal of all jurisdiction; the see was again vacant, and the Chapter proceeded to make a fresh nomination of Grand-Vicars. D'Astros was forthwith invited to resume his place as one of that body; and he accompanied his brethren in that capacity when they officially welcomed Louis XVIII. at Notre Dame on his return to France.†

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* *Vie du Cardinal d'Astros*, p. 262.

† The speech to the king on this occasion was made by M. de la Myre, one of the grand-vicars. His Majesty, either mistaking him for D'Astros, or as a hint that the latter ought to

The other prelates named by Napoleon, who had not received Pontifical institution, were in like manner deprived of all episcopal authority by the withdrawal of the powers conferred upon them by the Chapters. The ex-archbishop of Paris now quitted France somewhat abruptly, and retired to Rome, where he met with a mortifying reception. He was compelled to resign his bishopric of Montefiascone, and was kept in confinement for several months in the Castle of St. Angelo. His misfortunes gradually impaired his health, and he died at the Convent of S. Silvestro at Rome, in May 1817.

The difficulties which had arisen out of the Concordat of 1801 were so many and so complicated that the Government of the Restoration found it necessary, as one of its earliest measures, to come to a fresh arrangement with the Court of Rome. The treaty signed at Fontainebleau in January 1813, having been repudiated immediately afterwards as inconsistent with the ancient rights and prerogatives of the Holy See, was virtually null and void. The Concordat of 1801, even supposing it to be legally in force, was odious to large numbers both of clergy and laity, as being the work of a usurper and the fruit of Revolution. Very many of the prelates of the "Petite Eglise" who refused to adhere to it returned to France in the suite of Louis XVIII., and claimed to be the sole legitimate holders of the sees which they occupied in 1790, notwithstanding the Papal Bull which deposed them. Meanwhile the Church was miserably ill-provided with pastors. Important dioceses had been for years without bishops; populous parishes were left without duly qualified spiritual guides; the Seminaries lacked the means of furnishing an adequate succession of candidates for the ministry. Negotiations were opened between the Comte de Blacas, French ambassador at Rome, and Cardinal

have been chosen to address him, said in reply, "I know M. l'abbé d'Astros. No doubt it is to him that I have the pleasure of speaking?

Consalvi, who had resumed his former post of Secretary of State to Pius VII.; and after considerable delay these plenipotentiaries signed a fresh convention in June 1817, of which the following were the principal features. The Concordat of 1516, between Francis I. and Leo X., was re-established, and that of 1801 was set aside. The episcopal sees suppressed by the bull "Qui Christi Domini" in November 1801, were reconstituted, "subject to certain exceptions,"—an expression which doubtless signified that those bishops who had fraternised with the Revolution by accepting the Constitution Civile would be liable to the loss of their preferments. The property of the clergy, secular and regular, which still remained unsold, was to be restored to the Church. The so-called "Organic Articles" were abrogated, "in so far as they were contrary to the doctrines and laws of the Church." Other clauses related to the circumscriptions both of the fifty sees then existing and of those to be re-erected, their endowments, and the usual stipulations as to the reception of bulls and other documents proceeding from the Court of Rome; these were not to be executed until they had been duly verified by the two Chambers, to which they were to be presented by the King.

The Pope immediately ratified the Concordat, adding to it a memorial by which he claimed the restitution of Avignon and its territory to the Holy See. By a bull of the same date he erected the sees of Avignon and Cambrai into archbishoprics, and restored the archbishoprics of Reims, Sens, Alby, Auch, Narbonne, Arles, and Vienne, together with thirty-four diocesan sees which he had so unwillingly suppressed in 1801. The king, somewhat prematurely, nominated forty-one new prelates; they were preconised at Rome; and in due time their bulls of institution were despatched to Paris.

But it was necessary that the proposed settlement should

be submitted to the sanction of the Legislature; and here its promoters experienced a total failure. Various objections were started in both Chambers, some of them reasonable and well founded, others unjust and frivolous. The veteran Lanjuinais, while admitting that an augmentation of the episcopate was desirable, and that each department might very properly constitute a diocese, argued that such a measure was not urgent; and that the general misery which prevailed in the country, the unsatisfactory state of the public finances, the apparently retrograde character of the new treaty, and the apprehensions which were widely entertained that it might prove detrimental to the much-prized "liberties of the Gallican Church," were sufficiently cogent reasons for adjourning the project. Ultimately the scheme was overthrown in consequence of an appeal by the Comte de Marcellus to the Pope; in his reply to which his Holiness pointed out that "the decisions pronounced by the Holy See upon matters of religion could not possibly be submitted afterwards to the deliberations of a lay assembly, however illustrious it might be." The Committee then sitting for the examination of the *projet de loi* embodying the Concordat now separated, at the instance of the Duc de Richelieu (prime minister), without presenting its report; and the whole measure was tacitly dropped. The Gallican Church remained for several years uneasily fluctuating between two Concordats, neither of which was fully executed; until at length an arrangement was concluded by which thirty prelates were added to the existing hierarchy, its total number being thus fixed at eighty. The bull for that purpose, issued at Rome on the 10th of October, 1822, and containing the new circumscription of the dioceses throughout France, was published by royal ordonnance on the 31st—"without approbation of any clauses, reservations, formulas, or expressions which it might include, which are or might be contrary to the constitutional Charter, to the laws

of the kingdom, or to the franchises, liberties, or maxims of the Gallican Church."

We have reached the limits proposed for the termination of this narrative. We have seen how the Church of France, sustained by the inherent strength of its constitution, survived the deluge of the Revolution, in which so many other institutions, being merely human, were overwhelmed for ever. But the subsiding waters, powerless as they were against the essential fabric of Catholicism, left behind them evident tokens of past devastation; and the National Church, ever since that date, has been impelled and swayed in various directions by the incessant political vicissitudes which have distracted France. Napoleon, knowing the extreme importance of religious sanction to a government of revolutionary origin, made use of the Church as an instrument of extending and consolidating his usurped power. He employed the clergy as functionaries for preserving moral order; placing them very much on the same level with the prefects and other secular magistrates. The chief duty of the bishops, in his view, was to preach submission to the Emperor, and to extol to the utmost the glories and blessings of his reign. A temper of servile adulation was thus fostered among ecclesiastics of all ranks, repeated specimens of which have come before us in the pages of this history. Even the Pope, according to the Napoleonic theory, was to merge his character of supreme ruler of the universal Church in that of a local Patriarch of France, residing at Paris, recognising the Emperor as his sovereign, and enjoying an ample pension from the imperial treasury. The Restoration introduced a different system; and the Church showed a tendency to carry to an exaggerated pitch of devotion the principle of Divine right and hereditary succession. The exclusive authority of the Bourbon dynasty was placed almost among the articles of Ecclesiastical Communion. A dominant and invidiously

privileged Church, and its inviolable union with the State, were laid down as matters of necessary faith, for which Catholics ought, whenever the occasion might arise, to become willing confessors and martyrs. Hence, when the insane absolutism of Charles X. had once more wrecked the cause of legitimate government, the clergy became so wofully unpopular that very grave apprehensions were excited as to the future position and fortunes of the Church. It was now that an enthusiastic section of the Ultramontane party suddenly declared itself the ardent champion of civil and religious liberty. Its leaders,—Lamennais, Gerbet, Rohrbacher, Lacordaire, Montalembert,—were convinced that the Catholic religion was not incompatible with liberty of all descriptions,—liberty of worship, liberty of religious teaching, the liberty of the press, liberty of political government. They believed that the proclamation of liberty in all shapes was the only policy strong enough to preserve the Church in France from a similar catastrophe to that which had ruined the cause of Catholicism in England.*

The dangerous errors into which these visionaries were ultimately betrayed were denounced to the Holy See by one whose character and antecedents are not unknown to our readers,—by Mgr. d'Astros, who held at that time the important dignity of Archbishop of Toulouse; and it was in reply to his memorial, signed by himself and thirteen of his colleagues in the episcopate, that Pope Gregory XVI. issued the famous Encyclical letter "Mirari vos," on the 15th of August, 1832.

Such were some of the many anomalies and perplexities, temporal and spiritual, in which France found herself inevitably involved on emerging from the long tyranny of the Revolution. And it is not to be wondered at that the Catholic clergy of that epoch, looking back upon past days of suffering and persecution, should have learned to regard the

* F. de Lamennais, *Affaires de Rome*, p. 69.

authority of the Holy See as their surest source of protection and guarantee of independence. They were naturally drawn to the system known as "Ultramontanism," in proportion as they perceived that their Church had been saved in its hour of need by virtue of its integral union with Rome. The force of this patent and indisputable fact perhaps blinded their minds at the time (and, may we not say? continues still to blind them) to other truths equally impregnable, of which the Gallican theologians of old were such illustrious advocates. The Church of France has learned, in the fiery furnace of affliction and martyrdom, that she must never more put her trust in the favour of princes, in the "arm of flesh," nor in the prestige of worldly wealth and political privilege. She has learned that she never need fear or be dismayed "because of the fury of the oppressor," or the hostility of any earthly government. May she also learn to value, instead of disparaging and repudiating, her own antique franchises and liberties—principles which, far from annulling the just prerogatives of Rome, tend in reality to perpetuate them by showing their harmony with primitive precedent and canonical jurisprudence. A return to Gallican doctrine in its genuine character, as held by the great interpreters of theological science,—by Pierre de Marca, by Bossuet, by Thomassin, by Claude Fleury, by Emery, by Freyssinous,—might be the means in the hands of Providence of solving some of the most painful problems which distress the Catholic world. It might conciliate intelligent and candid Protestants of the type of Leibnitz and Grotius; it might soften the prejudices of Rationalists and Freethinkers. Some such revival of a truly liberal Catholicism would seem to be the grand desideratum which may eventually conquer the sympathies of an estranged and discordant Christendom. For if those two great conflicting powers, faith and freedom, could be once for all definitively reconciled, what further obstacle would remain to hinder the fulfilment of the promise that "there shall be one Flock, one Shepherd"?

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